

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 6471/2023

Mahendra S/o Shri Jagmal, Aged About 28 Years, R/o 29 Gb,
Shivpuri, Ps Srivijaynagar, District Sri Ganganagar (Rajasthan)
(At Present Lodged In Sub Jail, Suratgarh)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 5581/2023

1. Maya Devi W/o Shri Birjaram, Aged About 42 Years, R/o Chak 1 Nzm Ps Raisinghnagar Dist. Srigananagar
(At Present Lodged At Sub Jail Raisinghnagar, Srigananagar)
2. Dinesh S/o Shri Hansraj, Aged About 19 Years, R/o 4-C Badi Odanki Ps Hindumkoat Dist. Srigananagar
(At Present Lodged At Sub Jail Raisinghnagar, Srigananagar)

----Petitioners

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr.Sameer Pareek,
Mr.Vijay Kumar Gaur.

For Respondent(s) : Mr.Mahipal Bishnoi, P.P.

HON'BLE MR. JUSTICE KULDEEP MATHUR

ORDER

31/05/2023

These two applications for bail under Section 439 Cr.P.C. have been filed by the petitioners who have been arrested in connection with FIR No.358/2022 registered at Police Station

Srivijaynagar, District Sriganganagar, for offences under Sections 395, 147, 323, 341 and 149 IPC.

Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the present case. Learned counsel submitted that the allegation against the petitioners is of snatching Rs.95000/- and one Vivo Mobile Phone with SIM. Learned counsel submitted that the petitioners are in custody and the trial of the case will take sufficiently long time. Learned counsel submitted that no purpose would be served by keeping the petitioners behind the bars for indefinite period. Learned counsel submitted that the petitioners have not even been named in the FIR, therefore, the benefit of bail should be granted to the accused-petitioners.

Per contra, learned Public Prosecutor opposed the bail application.

Heard learned counsel for the petitioners and learned Public Prosecutor. Perused the material available on record.

Having considered the rival submissions, facts and circumstances of the case, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioners on bail.

Accordingly, the bail application under Section 439 Cr.P.C. are allowed and it is ordered that the accused-petitioners- **(i) Mahendra S/o Shri Jagmal, (ii) Maya Devi W/o Shri Birjaram and (iii) Dinesh S/o Shri Hansraj** respectively shall be enlarged on bail in connection with FIR No.358/2022 registered at Police Station Srivijaynagar, District Sriganganagar, provided

each of them furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for their appearance before the court concerned on all the dates of hearing as and when called upon to do so.

It is however, made clear that findings recorded/observations made above are for limited purposes of adjudication of bail application. The trial court shall not get prejudiced by the same.

A copy of this order be placed in each file.

(KULDEEP MATHUR),J

/tarun goyal/

Sr.No.109-110