

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 7483/2024

1. Guddi W/o Samundra Singh, Aged About 55 Years, R/o-Village-Machhipura, Police Station-Sadar, Gangapurcity.
2. Sumer Singh S/o Madhosingh, Aged About 52 Years, R/o-Village-Machhpura, Police Station-Sadar, Gangapurcity.
3. Samundra Singh S/o Narayan Singh, Aged About 56 Years, R/o-Village-Machhipura, Police Station-Sadar, Gangapurcity.

----Petitioners

Versus

State Of Rajasthan, Through P.p.

----Respondent

For Petitioner(s) : Mr. Sikandar Ali Chopdar
Mr. Ajay Kumar Bansal

For Respondent(s) : Mr. Ghanshyam Singh Rathore, GA
cum AAG with
Mr. Babu Lal Nasuna, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN (V. J.)

Order

28/06/2024

1. This instant application under Section 438 of Cr.P.C. is filed by the petitioner(s)-applicant(s) for seeking anticipatory bail in event of arrest in connection with FIR No. 48/2024 registered at P.S. Sadar District - Gangapurcity for alleged offence under Section(s) 143, 323 and 341 of IPC.
2. Learned counsel for the applicant(s) submits that the applicant(s) have falsely implicated in a concocted criminal case. He also submitted that the applicant(s) may be arrested due to ulterior motive and to fulfill personal *vendetta* of complainant though there is no evidence against the



petitioner(s)-applicant(s). He further submitted that the petitioners are law abiding citizen having no previous criminal antecedents, but they assure(s) full cooperation with Investigating Agency.

3. Learned Public Prosecutor has opposed the bail application and submitted that the allegations against the petitioners are grave and serious, therefore, at the stage of investigation, the petitioner(s)-applicant(s), are required for investigation, hence, they are not entitled to grant anticipatory bail.
4. Heard learned counsel for the petitioner(s)-applicant(s) and learned Public Prosecutor. Perused the material available on record submitted by both the parties.
5. Having considered the police report and the material placed on record for perusal, the matter is still at the investigation stage, but the investigation so far indicates that the petitioner(s)-applicant(s) is/are not required for custodial interrogation. Considering the assurance of cooperation and also the fact that there is no criminal antecedents against the petitioner(s)-applicant(s), without expressing any opinion on role of the present petitioner(s)-applicant(s), it is appropriate to grant anticipatory bail.
6. In view of the facts and circumstances of the case, the bail application under Section 438 Cr.P.C., is hereby allowed and it is ordered that in the event of arrest of petitioner(s)-applicant(s) Guddi W/o Samundra Singh, Sumer Singh S/o Madhosingh, Samundra Singh S/o Narayan Singh, in connection with FIR No. 48/2024 registered at P.S. Sadar District -



Gangapur city for alleged offence under Section(s) 143, 323 and 341 of IPC, the applicant(s) shall be released on bail upon furnishing a personal bond of Rs. 50,000/- with two sureties of like amount each to the satisfaction of the Investigating Officer on the following conditions:-

- (i) Till completion of investigation, the applicant(s) shall not leave the jurisdiction of the concerned District without prior permission of the concerned Court.
- (ii) The applicant(s) shall make himself/themselves available for interrogation by the Investigating Officer as and when required in relation to present criminal case.
- (iii) The applicant(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Investigating Officer during investigation.
- (iv) The applicant(s) shall not tamper with any evidence or try to influence any witness in any manner.
- (v) The applicant(s) shall disclose his passport number, if any, to Investigating Officer and shall not leave the Country without prior permission from the concerned Court.
- (vi) The applicant(s) shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.

(vii) Failure to comply with any of the aforementioned conditions, shall entail the cancellation of the anticipatory bail order.

7. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN (V. J.)),J

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