

**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous Bail Application No. 11069/2024

Shaitan Saran S/o Poluram, Aged About 20 Years, R/o Mamana, Police Station Narena, District Jaipur . ( At Present Confined In Central Jail Jaipur, District Jaipur ).

----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor.

----Respondent

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For Petitioner(s) : Mr. Ravindra Kumar Paliwal

For Respondent(s) : Mr. Vijay Yadav, PP

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**HON'BLE MR. JUSTICE BHUWAN GOYAL**

**Order**

**29/11/2024**

1. The present application under Section 483 of B.N.S.S., 2023 has been filed by the petitioner seeking regular bail in connection with F.I.R. No. 76/2024 dated 17.05.2024 registered at Police Station Sambhar, District Jaipur Rural for the offences under Sections 143, 323 & 342 of I.P.C. (charge-sheet has been filed for offences under Sections 323, 325, 365 & 34 of I.P.C.)

2. Heard learned counsel for the petitioner as well as learned Public Prosecutor.

3. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely enrobed in this case. He has submitted that incident in the present case is stated to have occurred on 15.05.2024, whereas, F.I.R. of said incident has been lodged as late as on 17.05.2024 i.e. two days after the incident and there is no explanation for delay forthcoming on

record. He has also submitted that from medical report available on record, it reveals that no injury has been caused on any vital part of the person of injured. He has also submitted that similarly situated co-accused Bansilal Gurjar has already been released on bail and the case of the petitioner is on similar footings to that against co-accused Bansilal Gurjar, who has been enlarged on bail. He has also submitted that the petitioner is languishing in custody since 26.08.2024. Charge-sheet has already been filed and trial of the case is likely to take time. He has, thus, urges that further incarceration of the petitioner in this case would not serve any fruitful purpose. He, therefore, prays that instant bail application may be allowed and petitioner may also be enlarged on bail.

4. Learned Public Prosecutor has produced factual report and vehemently and fervently opposed the bail application.

5. I have given my thoughtful consideration to the submissions advanced at bar and have gone through the material available on record.

6. Having regard to the totality of facts and circumstances of the case; considering the submissions advanced by learned counsel for the petitioner and the fact that petitioner is in custody since 26.08.2024 and co-accused Bansilal Gurjar has been released on bail, but without commenting anything on the merits and demerits of the case, this Court deems it just and proper to allow instant bail application under Section 483 of B.N.S.S.

7. The present bail application is accordingly allowed and it is directed that accused-petitioner - **Shaitan Saran s/o Poluram** shall be released on bail provided he furnishes a personal bond in

the sum of Rs.50,000/- (Rupees Fifty Thousand only) along with two sureties in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each to the satisfaction of the trial court with the stipulation that he shall appear before that Court and any Court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

**(BHUWAN GOYAL),J**

INDER /2