



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

S.B. Criminal Miscellaneous Bail Application No. 7890/2024

Subhash S/o Bhagirath Jat, Aged About 37 Years, R/o Hardaswali Bichla Bass, Chak 4 Jbd, Tehsil Rawatsar, Distt Hanumangarh Raj.

(At Present Lodged At Sub Jail Nohar, Hanumangarh)

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

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For Petitioner(s) : Mr. Prakash Bharti

For Respondent(s) : Mr. Anil Joshi, GA-cum-AAG

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**HON'BLE MS. JUSTICE REKHA BORANA (VACATION JUDGE)**

**Order**

**28/06/2024**

1. The present bail application under Section 439 Cr.P.C. has been filed by the petitioner who has been arrested in connection with F.I.R. No.0331/2024 registered at Police Station Rawatsar, District Hanumangarh for the offence under Sections 19/54 & 54(A) of the Rajasthan Excise Act.

2. Learned counsel for the petitioner submits that the main accused has already been granted bail. He submits that so far as criminal antecedents of the petitioner are concerned, only one matter of Excise Act is pending against him. He further submits that the offence alleged to have been committed by the petitioner is triable by the Court of Magistrate. The petitioner is in judicial custody and the trial of the case will take sufficiently long time, therefore, the benefit of bail should be granted to the accused-petitioner.

3. *Per contra*, learned Public Prosecutor has vehemently opposed the bail application.

4. Having considered the rival submissions, facts and circumstances of the case & the fact that the offence is triable by the Court of Magistrate, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioner on bail.

5. Consequently, the bail application under Section 439 Cr.P.C. is **allowed**. It is ordered that the accused-petitioner - **Subhash S/o Bhagirath Jat** arrested in connection with .F.I.R. No.0331/2024 registered at Police Station Rawatsar, District Hanumangarh shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned trial court, for his appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

**(REKHA BORANA),VJ**

23-AbhishekK/-