



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

**S.B. Criminal Miscellaneous Second Bail Application No.  
1985/2025**

Bharat S/o Shyamlal, Aged About 20 Years, R/o Dudi Talai, Police Station Vijaypur, District Chittorgarh (Rajasthan) (At Present Confined In District Jail Bundi).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

Connected With

**S.B. Criminal Miscellaneous Second Bail Application No.  
2145/2025**

Kapil S/o Roopa, Aged About 30 Years, R/o Garasiya Khera Police Station Manasa District Neemach (Madhya Pradesh) (At Present Accused Petitioner Is In Custody At Jail Bundi)

----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor.

----Respondent

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For Petitioner(s) : Mr. Hemant Vijay  
Mr. Dushyant Singh Naruka  
For Respondent(s) : Mr. Amit Punia, PP

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**HON'BLE MR. JUSTICE GANESH RAM MEENA**

Order

**28/02/2025**

1. The accused-petitioners have filed both these second bail applications under Section 483 B.N.S.S. arising out of F.I.R. No.397/2023 registered with the Police Station Hindoli, District Bundi for offence under Sections 394 IPC and after investigation, the Police added Sections 458, 395, 396, 397 and 120-B of IPC.

2. The first bail application of the petitioner-Bharat was dismissed by this Court vide order dated 26.07.2024, on merits after taking into consideration the overall facts and circumstances of the case and so also the allegation levelled against him.

3. And, the first bail application of accused-petitioner Kapil S/o Roopa was dismissed as withdrawn by this Court vide order dated 03.07.2024 with liberty to the petitioner to move fresh bail application before the learned trial Court after recording of evidence for the recovery witnesses.

4. Heard.

5. Considered the submissions made at bar and also perused the material available on record.

6. The police after completion of investigation has submitted charge-sheet in the matter. As per the list of witnesses, even in the memo of charge-sheet, there are in all twenty three prosecution witnesses. As per the material placed before this Court with the bail applications, out of twenty three prosecution witnesses, nineteen witnesses have been examined upto 30.01.2025.

7. Counsels for the petitioners are not in a position to make statement that after 30.01.2025, how many witnesses have further been examined? Or, have all the prosecution witnesses been examined?

8. Taking into consideration the allegation levelled against the present petitioners, so also the fact that the petitioner- Bharat was

identified during test identification parade; certain ornaments that is theft articles have been recovered from the possession of accused-petitioner- Kapil; the witnesses of the test identification parade have verified the fact of identification before the learned trial Court; the witnesses of recovery memo of ornaments recovered from the possession of accused-petitioner - Kapil, have also verified the same, further, the facts on record also speak that almost all the witnesses have been examined and the trial is at fag end, hence, in such circumstances, this Court is not inclined to enlarge the petitioners on bail.

9. Accordingly, both the present second bail applications are dismissed.

10. Registry is directed to place a copy of this order in connected bail application.

(GANESH RAM MEENA),J

ARTI SHARMA /7-8