

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



S.B. Criminal Miscellaneous Bail Application No. 2900/2025

Hansram @ Chhutan S/o Gulab, Aged About 22 Years, R/o Nayagaon, Ps Mahwa, District Dausa (Raj.) (At Present Confined In District Jail, Dausa).

----Petitioner

Versus

State Of Rajasthan, Through Its PP

----Respondent

For Petitioner(s) : Mr. Vishram Prajapati

For Respondent(s) : Mr. N.S. Dhakar, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

28/02/2025

1. The instant bail application has been filed under Section 483 of B NSS on behalf of the petitioner, who has been arrested in connection with FIR No.351/2024 registered at Police Station Sadar Dausa, District Dausa (Rajasthan) for the offences punishable under Sections 310(2) & 311 of BNS. Later on, police filed charge-sheet in this matter for the offences punishable under Sections 310(2), 311 & 61(2)(a) of BNS.

2. Learned counsel for the petitioner submit that petitioner has falsely been implicated in this case. Counsel submits that according to the FIR, there is allegation against the petitioner that on 16.09.2024, when victim was going to his home from Dausa on his motorcycle and when he reached near the Kharandi River petrol pump, a car came and stopped him by parking it in front of his motorcycle and 6-7 people came out and forcibly snatched his

mobile, 15,000/- rupees and key of his motorcycle and beat him with sticks (lathi and danda). Counsel submits that on these facts, FIR was registered and investigation was commenced. Counsel submits that during investigation, without any evidence, arrest of the petitioner was made. Counsel submits that during the course of investigation, identification parade was conducted but complainant failed to identify the petitioner Hansram and co-accused Rajendra. Counsel submits that there are four criminal antecedents against the petitioner and in those cases, he is on bail. Counsel submits that now after completion of investigation, police has filed charge-sheet in this matter. It is submitted that petitioner is in custody since 11.12.2024. Further custody of the petitioner would not serve any fruitful purpose. Trial will take time in its conclusion.

3. Learned Public Prosecutor opposes the submissions made by counsel for the petitioner.

4. I have considered the contentions.

5. Having regard to the totality of the facts and circumstances of the case; considering the arguments advanced by learned counsel for the petitioner, as also the material available on record in the form of charge-sheet as well as case diary; period of custody and trial will take considerable time in its conclusion, but without commenting anything on the merits/demerits of the case, I deem it fit and proper to allow this bail application.

6. This bail application is accordingly allowed and it is directed that accused-petitioner **Hansram @ Chhutan S/o Gulab**, shall be released on bail provided he furnishes a personal bond in the sum

of Rs.50,000/- (Rupees Fifty Thousand only) together with two sureties in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each to the satisfaction of the learned 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.

7. It is made clear that the accused-petitioner shall not involve in any other offence(s) during currency of the bail and he shall mark his presence in first week of every month in the concerned police station.

8. Concerned SHO is directed to maintain a register recording the attendance of the petitioner. In case the petitioner fails to mark his presence in the concerned police station, the concerned SHO is directed to immediately report the matter to the concerned Court in this regard.

9. If any breach of these conditions is reported or come to the notice of the Court, the same shall alone be a reason for the trial court to cancel the bail granted to him by this Court.

(ANIL KUMAR UPMAN),J

CHARU SONI /53