

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR



S.B. Criminal Miscellaneous III Bail Application No. 7044/2025

Sahil Baig S/o Shri Istiyak Baig, R/o Bismilla House, Mazdoor Colony, Opp. Chandra Colony, Vijay Nagar, Ajmer At Present Tenant Flat No. 1001, 10th Floor The Rise Apartment, Haldighati, P.S. Pratap Nagar, Jaipur (At Present Confined In Central Jail Jaipur).

----Accused-Petitioner

Versus

State Of Rajasthan, Through P.P.

----Respondent

For Petitioner(s) : Mr. Rakesh Kumar Saini, Adv.

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

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

30/05/2025

1. This third bail application has been filed under Section 483 of BNSS on behalf of the petitioner, who has been arrested in connection with FIR No.236/2024 registered at Police Station Vidhyakpuri, District Jaipur City (South) (Raj.) for the offences punishable under Sections 420, 406 & 409 of IPC. Later on, Police filed charge-sheet in this matter for the offences punishable under Sections 420, 406, 409 & 120-B of IPC.

2. Learned counsel for the petitioner submits that second bail application of the petitioner was dismissed as withdrawn vide order dated 02.04.2025 however, he was granted liberty to renew the prayer of bail before the trial Court under Section 437(6) of Cr.P.C. Thereafter, bail application preferred before the trial Court was dismissed and petitioner preferred bail application before the

learned Sessions Judge and that was also dismissed. Thus, this third bail application has been preferred.

3. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that admittedly in this case, charges were framed on 27.02.2025 and date was fixed for recording prosecution evidence of three witnesses including complainant. He further submits that on the said date, complainant did not turn up and two witnesses, who were present, were not examined by the prosecution. He argues that thereafter witnesses did not turn up before the learned trial Court despite issuance of bailable warrant. He further argues that the petitioner is facing magistrate trial and is in custody since 11.09.2024. He contends that charge-sheet has already been filed, there are no criminal antecedents against the petitioner and trial of the case will take considerable time in its conclusion. He further contends that further custody of the petitioner would not serve any fruitful purpose.

4. Learned Public Prosecutor opposes the prayer of bail made by learned counsel for the petitioner and submits that time was sought by the petitioner himself on the first date fixed for recording of evidence therefore, he is not entitled to be released on bail.

5. I have considered the contentions.

6. 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 looking to the fact that the petitioner is facing magistrate trial and he is in custody since

11.09.2024; absence of criminal antecedents 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 third bail application.

7. This third bail application is accordingly allowed and it is directed that accused-petitioner **Sahil Baig S/o Shri Istdiyak Baig** 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.

8. The observation made hereinabove is only for decision of the instant bail application and would not have any impact on the trial of the case in any manner.

(ANIL KUMAR UPMAN),J