HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 10589/2025

Karansingh S/o Madanlal, R/o Sonpura, Police Station Atalband, Bharatpur (Raj.) (At Present Accused Petitioner Confined In Central Jail Sewar, Bharatpur).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Anshul Sharma
For Respondent(s)	:	Mr. N.S. Dhakar, PP with Mr. Gaurav Gupta, Assistant GA

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

29/08/2025

1. This second bail application under Section 483 of BNSS has been filed on behalf of the petitioner, who has been arrested in connection with FIR No.75/2025 registered at Police Station Atalbandh, District Bharatpur for the offence punishable under Section 19/54 of Rajasthan Excise Act, 1950.

2. The first bail application filed on behalf of the petitioner was dismissed as withdrawn by this court vide order dated 30.07.2025. Now, charge-sheet has been filed thus, this second bail application has been preferred.

3. Learned counsel for the petitioner submits that accused-petitioner has falsely been implicated in this case. He submits that charges have been framed against the petitioner and trial will take considerable time in its conclusion. Counsel submits that petitioner

is in custody since his date of arrest and further custody of the petitioner would not serve any fruitful purpose.

4. Learned Public Prosecutor opposes the submissions made by learned counsel for the petitioner and submits that petitioner is a habitual offender as 16 other cases have been registered against him, out of which, 14 cases are registered under the Excise Act. Counsel further submits that in three cases, conviction has also been recorded for the offence punishable under Section 19/54 of the Rajasthan Excise Act wherein benefit of probation has been granted to the petitioner and despite this, another offence has been committed by him.

5. At this stage, learned counsel for the petitioner submits that petitioner has been acquitted in eight cases.

6. Having regard to the totality of the facts and circumstances of the case, considering the arguments advanced at bar, especially considering the fact that huge quantity of liquor has been recovered from the possession of the petitioner, as also considering the fact that for similar offence, he has been convicted thrice thus, looking to the nature and gravity of offence, this court is not inclined to enlarge the petitioner on bail.

7. Accordingly, this second bail application stands dismissed.

8. The observations made hereinabove are only for disposal of the instant bail application and would not prejudice the trial in any manner.

(ANIL KUMAR UPMAN),J

GAUTAM JAIN /186