

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

S.B. Criminal Miscellaneous **II** Bail Application No. 3372/2025

Rajesh Kumar Dodiya S/o Shri Kurichand Dodiya, Aged About
43 Years, R/o Village And Post Madalda, Tehsil Gadi, Banswara.

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Vipin Makkad

For Respondent(s) : Mr. Prem Singh Panwar, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

11/12/2025

1. This second anticipatory bail application has been filed under Section 482 BNSS by the petitioner apprehending his arrest in connection with FIR No.18/2024, registered at Police Station Arthuna, District Banswara, for offences under Sections 420, 409 and 406 IPC.
2. Heard learned counsel for the petitioner as well as learned Public Prosecutor. Perused the material available on record.
3. Learned counsel for the petitioner submitted that the petitioner, who was serving as Gram Sevak-cum-Secretary of Gram Panchayat Arthuna during the period 2011-12 to 2013-14, has falsely been implicated in the present case. The FIR has been lodged after more than ten years and is based solely on conjectures and surmises. It is alleged that the petitioner, along with other officers of Gram Panchayat Arthuna, misappropriated and embezzled government funds by preparing false and fabricated bills and vouchers. Learned

counsel submitted that there is no explanation on record for the inordinate delay in lodging the FIR. Pursuant to the interim order dated 16.10.2025 passed by this Court, the petitioner has already joined the investigation. Learned counsel for the petitioner submitted that having regard to the nature of the allegations, custodial interrogation of the petitioner is not at all warranted. The petitioner is a public servant, and therefore there is no likelihood of his absconding or not cooperating with the investigation. It was thus contended that no useful purpose would be served by sending the petitioner behind bars, and that he deserves to be granted anticipatory bail.

4. Learned Public Prosecutor opposed the bail application; however, he could not dispute that the FIR has been lodged more than ten years after the petitioner discharged his duties as Secretary of the Gram Panchayat. He also could not refute the fact that the petitioner has already joined the investigation and that no recovery is presently required to be effected from him.

5. Having considered the overall facts and circumstances of the case and upon a thoughtful examination of the submissions advanced at the Bar, this Court is of the view that the present case warrants grant of anticipatory bail to the petitioner under Section 482 BNSS.

6. Accordingly, the second anticipatory bail application under Section 482 BNSS is allowed and it is directed that in the event of arrest of petitioner **Rajesh Kumar Dodiya S/o Shri Kurichand Dodiya** in connection with F.I.R. No.18/2024, registered at Police Station Arthuna, District Banswara, the petitioner shall be released on bail; provided he furnishes a personal bond in the sum of

Rs.50,000/- along with two sureties of Rs.25,000/- each to the satisfaction of the concerned Investigating Officer/S.H.O. on the following conditions :-

- (i). that the petitioner shall make himself available for interrogation by a police officer as and when required;
- (ii). that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the court or any police officer; and
- (iii). that the petitioner shall not leave India without previous permission of the court.

(KULDEEP MATHUR),J

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