



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

राजस्थान जयते

S.B. Criminal Miscellaneous 1st Bail Application No. 4866/2026
CNR: RJHC010382732026 | URN: CRLMB / 11054U / 2026

1. Raju @ Nanhe S/o Bhawani Singh, Aged About 58 Years, Ward No.32, Bihar Banthala PS. Loni, Distt. Ghaziabad, UP. (Persenty Loged At District Jail Churu)
2. Gulshan @ Poli S/o Raju @ Nanhe, Aged About 22 Years, Ward No.32, Bihar Banthala PS. Loni, Distt. Ghaziabad, UP. (Persenty Loged At District Jail Churu)

-----Petitioners

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Devendra Singh Rathore
For Respondent(s)	:	Mr. Narendra Gehlot, PP assisted by Mr. Omprakash Choudhary

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN
Order

23/07/2026

1. The present bail application under Section 483 of BNSS is filed by the applicants-accused **1. Raju @ Nanhe S/o Bhawani Singh 2. Gulshan @ Poli S/o Raju @ Nanhe** seeking bail in respect of a criminal case registered as FIR No.322/2023 dated 24.06.2023 registered at P.S. Rajgarh (Churu), District - Churu, for the offence under Sections 460, 395, 397, 398, 307 of IPC and Section 27 of Arms Act.
2. Learned counsel for the applicants submits that the applicants have been falsely implicated in the matter and the investigation against them is complete and they are no more required in investigation. He further submits that there are no chance of fleeing of applicants accused from the



jurisdiction of this Hon'ble Court. He also submits that the applicants undertakes not to repeat offence and cooperate with trial, which will take time.

3. Learned counsel for the applicants submits that complainant Sunil Kumar has lodged a report against unknown person but he named Sagar as one of the accused involved in the incident. He further submitted that police has investigated the matter and during investigation has arrested present petitioner Raju @ Nanhe and Gulshan @ Poli on 25.06.2023 and since then they are in custody. He also submitted that there is no specific allegation about involvement of these petitioners in the incident. He also referred the police investigation and submitted that these accused are in custody for last more than three years but the trial Court has not proceeded to record statement of witnesses. He also submitted that out of 27 witnesses only 5 have turned up and remaining witnesses have not turned up to record their statement and there is unjustifiable delay in trial. Learned counsel has also submitted that accused Raju is a senior citizen and he is in custody for almost three years.
4. Aforesaid contentions were opposed by learned Public Prosecutor and submitted that the petitioners are part of an organized gang and they have committed serious offence. He also submitted that there is a recovery of firearm from Gulshan who is involved in the incident.
5. Heard learned counsel for the petitioners-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.



6. On basis of a report dated 24.06.2023 lodged by complainant Sunil Kumar against Sagar and five other unknown persons about dacoity with an attempt to cause death using a deadly weapon FIR No.322/2023 was registered at Police Station Rajgarh, District Churu. The police has arrested both the petitioners and others concealing their identity and after identification parade (TIP) these petitioners were named and a charge-sheet is filed against them. These petitioners are in custody since 24.06.2023.
7. We have called a status report from the trial Court and a report dated 20.07.2026 has been received. The report indicate that out of 27 witnesses listed by the prosecution, only 5 have been examined but the delay has occasion as the counsels for both the parties have requested time for examination of witnesses. The trial Court has mentioned that all endeavors would be made to conclude the trial as early as possible. This report indicate that the delay was also on part of the accused.
8. Having considered the entire material on record, it is apparent that certain recoveries were effected at the instance of Raju @ Nanhe and also Gulshan @ Poli. The material on record also indicate that there were other criminal cases against these persons though exact details has not been placed on record but certain documents on record indicate that these petitioners-accused are wanted in cases registered in the State of Haryana.



9. Considering the role and involvement of these petitioners in particular the serious act of committing dacoity with attempt to cause death of son of complainant (injured Puneet). The case is of serious nature therefore, the petitioners are not entitled for bail on ground of period of custody or on senior citizenship of Raju @ Nanhe.
10. Considering the gravity of allegations and overall facts and circumstances of the case, it is appropriate to dismiss the bail application of the applicant accused at this stage.
11. Accordingly, the application for bail filed under Section 483 of BNSS preferred by **1. Raju @ Nanhe S/o Bhawani Singh 2. Gulshan @ Poli S/o Raju @ Nanhe** is hereby dismissed.
12. The trial Court is directed to expedite the trial and try to conclude the trial as early as possible. The trial Court is also directed not to adjourn the case in mechanical and casual manner unless there are sufficient reason to justify the adjournment.
13. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J