

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

S.B. Criminal Miscellaneous Bail Application No. 5601/2026
Indraj S/o Dharam Pal, Aged About 42 Years, Ward No 14 Satu
Colony Sardar Shahar Police Station District Churu (At Present
Lodged In Jail Balotra)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Lalit Solanki

For Respondent(s) : Ms. Sonu Manawat, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU
Order

05/05/2026

The present bail application has been filed under Section 483 BNS seeking regular bail in connection with FIR No. 35/2026 registered at Police Station Balotra, District Balotra for the offence under Sections 331(4), 305(1), 112(2) and 3(5) of BNS.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is contended that the investigation stands completed and charge-sheet has already been filed. The petitioner is in judicial custody since 23.02.2026 and no further custodial interrogation is required. It is further submitted that the offence is triable by a Magistrate and the trial is likely to take time; therefore, the petitioner deserves to be enlarged on bail.

Per contra, learned Public Prosecutor has opposed the bail application and submitted that the petitioner is a habitual offender and is involved in multiple criminal cases of similar nature. It is argued that in case the petitioner is released on bail, there is every likelihood of his indulging in similar offences again.

I have considered the rival submissions and perused the material available on record.

The allegation in the present case pertains to theft and house- breaking and the petitioner was arrested during the course of investigation and charge-sheet has been filed.

However, from the record, it transpires that the petitioner has a significant criminal history. The details of criminal antecedents of the petitioner, as noticed in the impugned order, are reproduced hereinbelow:

S. No.	FIR No./Year	Sections	Police Station	Status
1	350/2018	457, 380 and 411 IPC	Sardarshahar	acquitted
2	361/2018	457, 380 and 411 IPC	Sardarshahar	acquitted
3	365/2018	457, 380 IPC	Sardarshahar	acquitted
4	276/2020	457, 380 and 120-B IPC	Kotwali Nagaur	acquitted
5	277/2020	457, 380 and 120-B IPC	Kotwali Nagaur	acquitted
6	395/2022	457, 380 and 34 IPC	Mandor, District Jodhpur	Pending Court
7	101/2023	457, 380 and 34 IPC	Transport Nagar, Pali	Pending Court
8	454/2023	4/25 Arms Act	Sangriya, Hanumangarh	Pending Court
9	1/2024	457, 380 IPC	Kotwali, Sirohi	Pending Court
10	140/2024	457, 380 and 34 IPC	JNVC Bikaner	Pending Court
11	190/2024	457, 380 IPC	Mukta Prasad Nagar, Bikaner	Pending Court
12	350/2024	331(4), 305(A) BNS	Mahamandir, District Jodhpur East	Pending Court
13	351/2024	305(A) 334(4) BNS	Mahamandir, District Jodhpur East	Pending Court
14	402/2024	331(2) 305(A), (E) BNS	Kotwali, Barmer	Pending Court
15	411/2024	305(A), 317(2), 331(2), 3(5) BNS	Kotwali, Barmer	Pending Court
16	146/2024	331(4), 305(A), 62, 3(5) BNS	Kolayat, District Bikaner	Pending Court
17	136/2025	331(4), 305(A), 112(2) BNS	Transport Nagar, Pali	Pending Court

A perusal of the aforesaid table clearly indicates that the petitioner is involved in as many as 17 criminal cases, most of which pertain to offences of theft and house-breaking. All these

cases are of recent origin, which prima facie reflects a pattern of repeated involvement in similar offences.

The Hon'ble Supreme Court in **Neeru Yadav v. State of U.P. (2016) 15 SCC 422**, has held that while considering bail, the Court must take into account the criminal antecedents of the accused and the likelihood of his repeating similar offences, and that a person with criminal history cannot be granted bail merely on the ground that the offence is otherwise triable by a Magistrate.

In the present case, the antecedents of the petitioner clearly demonstrate that he is a habitual offender, and there exists a strong likelihood of his indulging in similar offences if released on bail.

Considering the nature of allegations, the criminal antecedents of the petitioner, and the settled legal position, this Court does not find it to be a fit case for grant of bail.

Accordingly, the present criminal miscellaneous bail application is **dismissed**.

However, the petitioner would be at liberty to file fresh bail application after filing of the challan.

(BALJINDER SINGH SANDHU),J