

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

S.B. Criminal Miscellaneous Bail Application No. 6886/2024

Nitesh Nehra S/o Shish Ram, Aged About 22 Years, R/o
Kithwana, Tehsil Surajgarh District Jhunjhunun.

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Vikas Bijarnia
For Respondent(s)	:	Mr. Narendra Gehlot, PP assisted by Mr. Omprakash Choudhary

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN
Order

01/07/2026

1. This instant application under Section 482 of BNSS is filed by the applicant-accused **Nitesh Nehra S/o Shish Ram** for seeking anticipatory bail in event of arrest in connection with FIR No.100/2023 dated 07.04.2023 registered at P.S. Hamirwas, District- Churu, for alleged offence under Sections 307, 452, 382, 323, 341, 427, 147, 148, 143 of IPC and Section 27 of Arms Act.
2. Learned counsel for the applicant submits that the applicant has falsely implicated in a concocted criminal case. He also submitted that the applicant may be arrested due to ulterior motive and to fulfill personal *vendetta* of complainant though there is no evidence against the applicant-accused. He further submitted that the applicant is a law abiding citizen having no previous criminal antecedents, but he assures full cooperation with Investigating Agency.
3. Learned counsel for applicant submits that the complainant Manoj Kumar has lodged a report on 07.04.2023 against six persons with specific involvement and indicating their role.

He submitted that neither the petitioner was named in FIR nor in statement under Section 161 of Cr.P.C. He also submitted that after investigation police has kept pending investigation against two persons but without indicating their role and involvement in the incident. He also submitted that the statement of injured Rajesh has been recorded by police under Section 161 of Cr.P.C. and he has not named present petitioner for involvement in the incident. He also submitted that all other persons arrested in the matter have already been enlarged on bail and no recovery is pending against the petitioner. He further referred injury report of Prakash, Rajesh, Ram Singh and Indra Singh and further their statement and submitted that no specific attribution of any injury was made upon the petitioner. He also submitted that the petitioner is ready to co-operate in the investigation.

4. Aforesaid contentions were opposed by learned Public Prosecutor and he submitted that present petitioner has absconded and was declared absconder and the charge-sheet under Section 299 of Cr.P.C. has been filed against him.
5. Heard learned counsel for the applicant-accused and learned Public Prosecutor. Perused the material available on record submitted by both the parties.
6. On basis of a report dated 07.04.2023 lodged by complainant Manoj Kumar against six named and other unnamed person about alleged assault FIR No.100/2023 was registered at Police Station Hamirwas, District Churu. During investigation police has found role and involvement of Mohan

Rajput @ Baba Thakur and Nitesh along with others. Initially first charge-sheet has been filed against Narendra Kulhari, Karan Singh and Arun Kumar while keeping investigation pending under Section 173(8) of Cr.P.C. A separate charge-sheet against two juveniles is also filed by police. The material on record indicate that the petitioner was declared absconder and a standing warrant has been issued against him. The police has filed a supplementary charge-sheet against present petitioner under Section 299 of Cr.P.C.

7. Having considered the material in particular role and involvement and also the fact that present petitioner was found involved in the investigation. Therefore, I am of considered view that at the stage of current bail application the merits of the case cannot be considered. The petitioner has already been declared absconder and a charge-sheet has already been filed therefore, this is not a fit case to enlarge petitioner-accused on anticipatory bail. Thus, the anticipatory bail application under Section 482 of BNSS is liable to be dismissed.
8. In view of discussion made hereinabove the anticipatory bail application preferred by the petitioner **Nitesh Nehra S/o Shish Ram** under Section 482 of BNSS is hereby dismissed.

(ASHOK KUMAR JAIN),J