

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

S.B. Criminal Miscellaneous Bail Application No. 7416/2026

CNR: RJHC010559022026

URN: CRLMB / 16296U / 2026

Hajoor Alias Maghar S/o Rajjak Khan @ Jaki, Aged About 35 Years, Chak 11 Rp Dhani Khet Khud Lakhubali Police Station Hanumangarh Town Dist Hanumangarh. (At Present Lodged In Dist. Jail Hanumanagrh)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s) : Mr. Achala Ram

For Respondent(s) : Mr. Lalit Kishor Sen, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

06/07/2026

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused Hajoor @ Maghar S/o Rajjak Khan @ Jaki seeking bail in respect of a criminal case registered as FIR No. 537/2023 dated 22.07.2023 registered at P.S. Hanumangarh Town, District- Hanumangarh, for the offence under Sections 457 and 380 of IPC.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter and the investigation against him is complete and he is no more required in investigation. He further submits that there are no chance of fleeing of applicant accused from the

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

3. Learned counsel for the petitioner submits that the present petitioner has been in custody since his arrest in the instant case. He also submitted that the learned Sessions Judge rejected the bail application only on the ground that there were 21 criminal cases against the petitioner. He further referred to the order dated 08.04.2024 passed by the same Court in respect of the co-accused, Saddam @ buccha, and submitted that despite his criminal antecedents, he was granted bail. He submitted that the petitioner is entitled to bail on the ground of parity. He also referred to the material on record and the statements recorded before the trial Court and submitted that no evidence has been brought on record against the petitioner and that the trial is likely to take time.
4. Learned Public Prosecutor has vehemently opposed the bail application and submitted that the allegations are grave and serious in nature.
5. Heard learned counsel for the petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. On the basis of the report dated 22.07.2023 lodged by the complainant, Nand Ram, regarding house-breaking and theft committed by unknown persons in might of 20.07.2023 and 21.07.2023, FIR No. 537/2023 under Sections 457 and 380 of the IPC was registered at P.S. Hanumangarh Town. The present petitioner was arrested on 23.12.2023, and after

investigation, a charge-sheet was filed against him as well as against Saddam @ buccha.

7. Accused Saddam @ buccha was released on bail by the learned Sessions Judge, Hanumangarh, on 08.04.2024 despite the fact that there were 21 criminal cases against him. The order dated 01.06.2026 in respect of the present petitioner indicates that 21 criminal cases were also registered against the present petitioner. The learned Sessions Judge has noticed that most of the cases relate to house-breaking and theft.
8. In the case of ***Rajni versus State of Punjab, reported in 2026 SCC OnLine SC 1050***, while considering criminal antecedents, the Hon'ble Supreme Court observed that criminal antecedents have a direct bearing on the likelihood of an accused abiding by bail conditions, refraining from repeating offences and intimidating witnesses. In the case of ***Neeru Yadav versus State of U.P., reported in (2015) SC 3703***, while considering the principle of parity, the Hon'ble Supreme Court observed that the criminal antecedents of an individual cannot be ignored, as they are an important factor for the grant of bail.
9. Having considered the entire material, in particular, the criminal antecedents of the petitioner, this is not a fit case to enlarge the petitioner-accused on bail. The petitioner is not entitled to claim parity on the basis of bail granted to the other accused.
10. In view of discussion made here-in-above the bail application preferred by the petitioner **Hajoor @ Maghar S/o Rajjak**

Khan @ Jaki under Section 483 of BNSS is hereby dismissed.

11. The trial Court is directed to expedite the trial Court and try to conclude as early as possible.

(ASHOK KUMAR JAIN),J