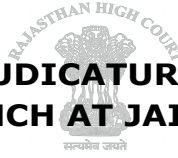




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous Bail Application No. 3368/2025

Talim S/o Dhyani, Aged About 31 Years, R/o Gandhaner, Police Station Pahadi, District Deeg. (Currently In Sub Jail, Deeg, Rajasthan).

----Accused-Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 3430/2025

Rafiq S/o Ashru, Aged About 41 Years, R/o Gadhaner, Police Station Pahari, District Deeg (Raj.) (At Present Confined In Sub Jail Deeg).

----Accused-Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Jaswant Singh, Adv., for Mr. Harendra Singh, Adv., and Mr. Anoop Kumar, Adv., with Mr. Surendra Singh, Adv.
For Respondent(s)	:	Mr. N.S. Dhakar, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

19/03/2025

1. These instant bail applications have been filed under Section 483 of BNSS on behalf of the petitioners, who have been arrested in connection with FIR No.223/2020 registered at Police Station Pahadi, District Bharatpur for the offences punishable under Sections 4 & 5 of the Explosive Substances Act, 1908. Later on, Police filed charge-sheet in this matter.

2. Learned counsel for the petitioners submit that the petitioners have falsely been implicated in this case. They further



submit that the petitioners have wrongly been named in the FIR.

They argue that the petitioners were not apprehended at the spot.

They further argue that co-accused person namely, Mosam has already been granted benefit of bail by learned trial Court and case of the petitioners is also on similar footing. They contend that the petitioners have been refused benefit of bail solely on the ground of pendency of other cases registered against them. They further contend that charge-sheet has already been filed and trial will take considerable time in its conclusion. They further submit that none of the cases registered against the petitioners are of a similar nature. They further argue that the the petitioners are in custody since their date of arrest and further custody of the petitioners would not serve any fruitful purpose.

3. Learned Public Prosecutor opposes the submissions made by counsel for the petitioner and submits that the petitioners are habitual offender as number of cases have been registered against them.

4. I have considered the contentions.

5. Having regard to the totality of the facts and circumstances of the case; considering the arguments advanced by learned counsel for the petitioners, especially the fact that co-accused person namely, Mosam has been granted benefit of bail by learned trial Court; charge-sheet has been filed and trial will take considerable time in its conclusion as well as looking to the period of custody, but without commenting anything on merits and demerits of the case, I deem it proper to allow these bail applications.



6. These bail applications are accordingly allowed and it is directed that accused-petitioners- **1. Talim S/o Dhyani** and **2. Rafiq S/o Ashru**, shall be released on bail provided, each of them furnishes a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) together with two sureties in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each to the satisfaction of the learned Trial Court with the stipulation that they shall appear before that Court and any Court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

7. It is made clear that the accused-petitioners shall not involve in any other offence(s) during currency of the bail and they shall mark their presence once in every three months in the concerned police station, till trial is concluded.

8. Concerned SHO is directed to maintain a register recording the attendance of the petitioners, as directed above. In case the petitioners fail to mark their presence in the concerned police station, as directed above, the concerned SHO is directed to immediately report the matter to the concerned Court in this regard.

9. If breach of any of these conditions is reported or come to the notice of the Court, the same shall alone be a reason for the trial Court to cancel the bail granted to them by this Court.

(ANIL KUMAR UPMAN),J