

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 4119/2025

- 1. Rakesh @ Lala S/o Late Babulal, Aged About 27 Years,
 - 2. Omprakash S/o Late Babulal, Aged About 20 Years,
- Both are residents Of Dehra Brisinghwas, Police Station
Neemkathana City, District Sikar (Raj.).
(At Present Accused Petitioners Confined District Jail
Sikar).

----Petitioners

Versus

State Of Rajasthan, Through PP

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 4120/2025

Mukesh S/o Panchuram, Aged About 30 Years, Resident Of Dehra
Brasihnwas, Police Station Neemkathana City, District Sikar
(Raj.).
(At Present Accused Petitioner Confined Sub Jail Neem Ka
Thana).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Vidhut Kumar Gupta, Adv. Mr. K.K. Bhinda, Adv.
For Respondent(s)	:	Mr. Mukesh Poonia, PP
For Complainant	:	Mr. Vikram Yadav, Adv.

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

07/04/2025

- 1. These instant bail applications have been filed under Section
483 of B.N.S.S. on behalf of accused-petitioners. The accused-
petitioners have been arrested in connection with FIR No.51/2025,

registered at Police Station Neem Ka Thana (Sikar), District Sikar, for the offence(s) under Sections 189(2), 109(1), 115(2), 333 and 307 of B.N.S.

2. Learned counsel for the petitioners submits that the accused-petitioners have falsely been implicated in this case. It is argued that the case under Section 109(1) of BNS is not made out against the accused-petitioners. It is further contended that prior to the incident the accused-party lodged an FIR against the complainant-party, alleging attempt to rape and kidnapping and thereafter the complainant-party started pressurizing the accused-party to enter into a compromise. It is also contended that on the same date of incident, a cross FIR was lodged by the complainant-party against the accused-party and the petitioner- Mukesh sustained fracture on his hand. It is also contended that in the FIR 12 persons have been named which shows that the FIR itself is exaggerated. The accused-petitioners are in custody since 18.02.2025 and the investigation/trial of the case may take considerable time, therefore, these bail applications of the accused-petitioners may be allowed.

3. Learned Public Prosecutor as well as learned counsel appearing on behalf of the complainant have vehemently opposed the grant of bail applications. Learned Public Prosecutor has submitted the case diary of the present case and also of the cross case along with the factual report for perusal of the Court. It is argued by the learned counsel for the complainant that the accused-petitioners along with the other co-accused have entered into the house of the complainant and thereafter caused injuries to persons namely- Tejaram, Prem, Shimbhu and Kamlesh Kumar.

It is also contended that injured Tejaram sustained 7 injuries out of which one injury is at the vital part i.e., on his parietal region. Similarly, injured Shimbhu sustained 11 injuries out of which 2 injuries were on his parietal region. It is also contended that against the accused petitioner- Mukesh, an FIR bearing No.369/2024, registered at Police Station Neem Ka Thana Kotwali is pending, therefore considering the allegation levelled against the accused-petitioners and injuries sustained to injured- Tejaram, Prem and Shimbhu, the bail applications of the accused-petitioners may be dismissed.

5. Heard and perused the material available on the record.

6. Both the parties have lodged FIR's against each other. The accused petitioner- Mukesh also sustained fracture on his hand. The injuries sustained to injured- Tejaram, Prem and Shimbhu were not found to be dangerous to life. The injuries caused to injured Tejaram and Shimbhu at their hands were not found to be grievous in nature. The accused-petitioners are in custody since 18.02.2025 and trial of the case may take considerable time, therefore, I deem it just and proper to enlarge the accused-petitioners on bail.

7. Accordingly, these bail applications under Section 483 of B.N.S.S., are allowed and it is ordered that the accused-petitioners namely; **1. Rakesh @ Lala S/o Late Babulal, 2. Omprakash S/o Late Babulal** and **3. Mukesh S/o Panchuram**, in connection with FIR No.51/2025, registered at Police Station Neem Ka Thana (Sikar), District Sikar, shall be enlarged on bail provided each of them furnish a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the

satisfaction of the learned trial Judge for their appearance before the Court concerned on all the dates of hearing and as and when called upon to do so.

8. The accused petitioner- **Mukesh S/o Panchuram**, is directed to mark his presence on 25th of every month till conclusion of trial before the concerned Police Station. The SHO of the concerned Police Station shall send the presence report of the accused-petitioner- Mukesh S/o Panchuram to the trial Court, every month. In case of any breach to the above condition, the learned Public Prosecutor shall be free to move the application against the petitioner- Mukesh S/o Panchuram for cancellation of the bail before the concerned Court.

(PRAVEER BHATNAGAR),J