


HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Bail Cancellation Application No. 69/2025

State Of Rajasthan

----Petitioner

Versus

Jagdish Prasad S/o Rameshwar Prasad Sharma

----Respondent

For Petitioner(s) : Mr. Vivek Sharma, PP
For Respondent(s) : Mr. Rajesh Maharshi with
Mr. Devanshu Saini

HON'BLE MR. JUSTICE SAMEER JAIN

Order

24/03/2026

The present bail cancellation application has been moved on behalf of the applicant-State, seeking cancellation of the concession of bail granted to the accused vide order dated 26.03.2025.

Upon perusal of the material available on record, it has been reflected that on numerous occasions, adjournments have been sought and granted on behalf of the applicant-State. It is pertinent to note that on 20.11.2025, when the matter was heard, the learned Public Prosecutor was categorically directed to furnish complete details *qua* the quantum of retirement benefits disbursed to the non-applicant/accused.

The said directions were passed considering the *prima facie* facts of teeming and lading in the accounts, coupled with grave allegations of embezzlement to the tune of approximately Rs.62 Lacs, during the tenure when the accused was holding the charge of Additional Director. Furthermore, in light of the allegations *qua*

breach of employment trust and a *prima facie* recovery to the tune of approximately Rs.16 Lacs, categorical directions were issued for the personal presence of the Officer-in-Charge to apprise this Court of the correct factual matrix.

Thereafter, the matter was listed on 16.01.2026, wherein reply was filed by the respondent. Subsequently, on 02.02.2026, the Officer-in-Charge marked his presence before the Court.

Howsoever, it is observed with serious concern that thereafter, adjournments are being sought on behalf of the respondent-State in a routine and casual manner. It is a sorry state of affairs that in the matters where the State itself moved the bail cancellation application, no prompt or effective action is taken to pursue the same after the passing of the impugned bail order. Such routine adjournments not only worsen the case but also reflect a lack of accountability on part of the respondent-State.

Today when the matter was called for hearing, the learned Public Prosecutor submitted that neither the Officer-in-Charge nor the relevant case records are available as on date.

In light of the foregoing facts and circumstances, it is evident that the Prosecution Department is treating the instant matter in a highly lackadaisical manner, without making any sincere efforts. Therefore, the Director of Prosecution, who is stated to be in charge of the matter, is directed to file a specific affidavit tendering a justifiable explanation for the aforementioned lapses.

Consecutively, for the appraisal of this Court, the said affidavit must encapsulate the statistics pertaining to bail

cancellation applications filed by the State, specifically detailing the general tenure of their pendency and disposal.

It is further directed that the entire case record of the present case, along with details of any disciplinary action initiated against the erring officials, must be place on record before this Court on the next date of hearing.

List the matter on 06.04.2026 at 02.00 PM.

(SAMEER JAIN),J