

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



S.B. Criminal Miscellaneous 4th Bail Application No. 12216/2025

Ravi Kumar Gurjar S/o Shri Hazari Lal, Aged About 36 Years, R/o Behind Government School, Saloda Near Karuali Fatak, Gangapur City, P.s. Udayimod, Dist. Sawai Madhopur (Presently Lodged In Central Jail, Jaipur).

-----Accused-Applicant

Versus

State Of Rajasthan, Through PP

-----Non-Applicant

Connected With

S.B. Criminal Miscellaneous 4th Bail Application No. 14265/2025

Mohit Meena S/o Shri Kamlesh Meena, Aged About 24 Years, R/o Saloda Chauraha, Indane Gas Godam Ke Pas Gangapur City, Police Station Udaimod District Sawai Madhopur, Presently Residing House No. 14 Fauji State Colony, Keshav Vidhyapeeth, Jamdoli, Jaipur, Rajasthan. (At Present Accused Petitioner Confined In Central Jail Jaipur).

-----Accused-Applicant

Versus

State Of Rajasthan, Through PP

-----Non-Applicant

For Applicant(s)	:	Mr. S.S. Hora Mr. Mohd. Umar Farooq
For Non-Applicant(s)	:	Mr. Rhishi Raj Singh Rathore, PP

HON'BLE MR. JUSTICE SAMEER JAIN

Order

10/11/2025

1. The instant bail applications have been filed under Section 483 BNSS on behalf of accused-applicants. The accused-applicants were arrested in connection with FIR No. 409/2020 registered at

Police Station Kanota District Jaipur City (East) for the offence(s) under Section 302 of IPC.

2. Learned counsel for the accused-applicants has submitted that present are fourth bail application(s). It is submitted that the offence alleged are under Section 302, 201, 323, 341 and 34 of IPC and that trite law under criminal procedure is that if the heinous offence is alleged, there ought not be any consideration given to the circumstantial evidences, rather sound investigation has to take place based on cogent evidences.

3. Qua the matter at hand it is submitted that the names of the applicants have not been categorically included in the contents of FIR, and that charge-sheet has been filed, moreover, the applicants are in custody ever-since 14.07.2021. It is submitted that the co-accused Kailash Chand has been enlarged on bail on 18.07.2024 merely on account of delay in trial and the case of the present applicants stand on the same pedestal.

4. It is further submitted that as on date, out of 30 witnesses, statements of more than 23 witnesses have been recorded. It is also submitted that in the confessional statements, there is not even a spur of evidence against the present applicants. It is submitted that virtually the third bail application was disposed of, the present bail applications are foremost ones to be considered on merits. It was lastly, apprised to the Court that the interim bail dismissed as withdrawn.

5. *Per contra*, learned Public Prosecutor upon vehemently opposing the instant bail applications has submitted, that after consideration of material evidences like mobile recovery in the alleged offence, consideration of post mortem report, FSL record,

CDR details analysis thereof and overall statements and investigation, it has been found that there is a motive and direct evidence qua the applicants being involved. It is submitted that on account of the same and considering that the matter is heinous in nature, the present bail applications should be dismissed at the threshold. It is further submitted that in the third bail application, matter is adjudicated on merits and apart from the said fact, six months have passed, and there has been no material change in the circumstances. It is submitted that the co-accused bail was decided merely on the ground of delay in trial and not on merits.

6. Heard and considered.

7. Considering the overall facts, taking note of the fact that after consideration of material evidences like mobile recovery in the alleged offence, consideration of post mortem report, FSL record, CDR details analysis thereof and overall statements and investigation, it has been found that there is a motive available qua the applicants; that direct evidences are available against the applicants; that the allegations leveled are of heinous nature; that there has been no material change in the circumstances, ever since dismissal of the third bail application but without commenting upon the merits/demerits of the case, this Court is inclined to dismiss the instant bail applications.

8. Accordingly, the instant bail applications are dismissed.

9. A copy of present order be placed in the connected application.

(SAMEER JAIN),J