

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

S.B. Criminal Miscellaneous Bail Application No. 16944/2025

Bhanu Kumar Jain Son Of Shri Poonam Chand Jain, Resident Of  
1-K-26, Mahavir Nagar Iii Kota, Retired Assistant Engineer, Water  
Resources Project, Bundi Division ( Rajasthan)

-----Petitioner

Versus

State Of Rajasthan, Through P.p.

-----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 16945/2025

Suresh chnad Son Of Shri Shivji Prasad, Aged About 72 Years,  
Resident Of Flat No. E-601, Mahima Elanza Ville Manpur Deori,  
Journalist Colony, Golyawas, Mansarovar, Jaipur Raj.

-----Petitioner

Versus

State Of Rajasthan, Through P.p.

-----Respondent

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| For Petitioner(s) | : | Mr. Akshat Saxena         |
| For Respondent(s) | : | Mr. Vijay Singh Yadav, PP |

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**HON'BLE MR. JUSTICE ASHOK KUMAR JAIN**  
**Order**

**05/05/2026**

1. This instant application under Section 482 of BNSS is filed by the petitioners-applicants **Bhanu Kumar Jain Son Of Shri Poonam Chand Jain** and **Suresh Chand Son Of Shri Shivji Prasad** for seeking anticipatory bail in event of arrest in connection with FIR No.367/2010 dated 23.11.2010 registered at P.S. Head Central Office, ACB, Jaipur District - Choki ACB Bundi for alleged offence under Sections 13(1) (e), 13(2), 13(1)(b) of the Prevention of Corruption Act, 1988.
2. Learned counsel for the applicants submits that the applicants have been falsely implicated in a concocted

criminal case. He also submitted that the applicants are facing threat of arrest due to ulterior motive and to fulfill personal *vendetta* though there is no evidence against the petitioners-applicants. He further submitted that the petitioners are law abiding citizens having no previous criminal antecedents, but he assures full cooperation with Investigating Agency.

3. Learned counsel for the petitioners submitted that the petitioners are innocent and were falsely implicated in the instant case. He further submitted that the material on record indicate that they were not posted at the relevant time to fix their responsibility and were unnecessarily harassed by the ACB. He further submitted that, after several years, the investigation has been carried out, and no specific material has been collected against them. He also submitted that the petitioner- Suresh Chand was working as Superintending Engineer and Bhanu Kumar Jain was working as Assistant Engineer, but prosecution sanction was not accorded by the Government, therefore, they are entitled to protection under the law.
4. Learned Public Prosecutor has opposed the bail application and submitted that the allegations against the petitioner are grave and serious, therefore, at the stage of investigation, the petitioners-applicants, are required for investigation, hence, they are not entitled to anticipatory bail.
5. Heard learned counsel for the petitioners-applicants and learned Public Prosecutor. Perused the material available on record submitted by both the parties.

6. The facts indicate that a project for potable water on the Mangli River was sanctioned at a cost of ₹81.40 crore, and a work order was issued to M/s Shekhar Construction, New Delhi, and the work was completed on 25.03.2010. The total estimated budget expenditure was revised to ₹147.06 crore on 03.09.2009. For the first time, water was stored in year 2010 but on 15.08.2010, after reaching 291 meters, the dam developed seepage and ultimately damaged and collapsed. On the basis of a report, Case No. 367/2010 was registered by the ACB.
7. We have considered the detailed police report submitted by the learned Public Prosecutor, and upon consideration of the same, it appears that 14 persons were found guilty for committing offences under Sections 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988, and Sections 420 and 120-B of the IPC. Further, the investigation was kept pending against three persons under Section 193(9) of the BNSS.
8. The material also indicates that the Water Resources Department has refused to grant sanction in respect of Suresh Chand and Bhanu Kumar Jain, (the present petitioners). A Coordinate Bench has already allowed the bail application under Section 438 of the CrPC filed by Shyam Babu Bhargav and Arun Kumar Mathur on 10.12.2014, and we have gone through the order passed by the Coordinate Bench. The order indicate that accused Sunil Gupta had already been granted the benefit of anticipatory bail by the trial court. The age of petitioner Suresh Chand is 72 years,

and although the age of Bhanu Kumar is not mentioned, but he has also superannuated, as per the documents. The case of Bhanu Kumar Jain is that he worked as Assistant Engineer, from 26.07.2007 to 27.08.2008, whereas the case of Suresh Chand is that he worked as Superintending Engineer from 17.08.2008 to 23.09.2009. The material indicates that prosecution sanction has already been refused on 19.12.2025 in respect of 15 individuals, including both the petitioners.

9. Having considered the police report and the material placed on record for perusal, the matter is still at the investigation stage, but the investigation so far indicates that the petitioner-applicant is not required for custodial interrogation. Considering the assurance of cooperation, without expressing any opinion on role of the present petitioner-applicant, it is appropriate to grant anticipatory bail.
10. In view of the facts and circumstances of the case, the bail application under Section 482 BNSS, is hereby allowed and it is ordered that in the event of arrest of petitioner(s)-applicant(s) **Bhanu Kumar Jain S/o Shri Poonam Chand** and **Suresh Chand Son Of Shri Shivji Prasad** in connection with FIR No.367/2010 dated 23.11.2010 registered at P.S. Head Central Office, ACB, Jaipur District - Choki ACB Bundi under Sections 13(1)(d), 13(2), of the PC Act and Sections 420 and 120-B IPC, the applicants **Bhanu Kumar Jain Shri Poonam Chand Jain** and **Suresh chnad Son Of Shri Shivji Prasad** shall be released on bail upon

furnishing a personal bond of ₹50,000/- by each of them with two sureties of like amount to the satisfaction of the Investigating Officer on the following conditions:-

- (i) Till completion of investigation, the applicants shall not leave the territorial jurisdiction of India without prior permission of the concerned Court.
- (ii) The applicants shall make themselves available for interrogation by the Investigating Officer as and when required in relation to present criminal case.
- (iii) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Investigating Officer during investigation.
- (iv) The applicants shall not tamper with any evidence or try to influence any witness in any manner.
- (v) The applicants shall disclose passport number, if any, to Investigating Officer and shall not leave the Country without prior permission from the concerned Court.

11. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J