

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 17051/2025

Ali Hussain S/o Saleem, Aged About 24 Years, R/o Kheriya Mode,
Barbali Gali, Shahganj, Agra, U.p. (At Present Confined In
Central Jail Bharatpur).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 605/2026

Arif S/o Bajeer Khan, Aged About 30 Years, R/o Behind Central
Jail, Beri Ka Nagla, Police Station Jagdishpura, District Agra, U.p.
(At Present Confined In Central Jail Bharatpur).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Navankur Dubey
For Respondent(s)	:	Mr. Jaiprakash Tiwari, PP

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

13/04/2026

1. The petitioners have preferred these bail applications under Section 483 of BNSS in FIR No.239/2025 registered at Police Station Bayana, District Bharatpur for offences under Sections 109(1), 309(4) and 309(6) of BNS, 2023 and Sections 3 and 27 of Arms Act.
2. Heard learned counsel for the petitioners as well as learned Public Prosecutor and perused the material available on record.

3. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in these cases. He further submits that from the material available on record, it appears that the main allegation regarding firing is against the co-accused, Sarvan @ Shravan. The primary allegation of causing the alleged injury is also attributed to the said co-accused. The petitioners have been in custody since 23.09.2025. It is further submitted that petitioner Ali Hussain has one criminal antecedents, whereas petitioner Arif has ten criminal antecedents. Charge-sheet has been filed. The trial of the case will take considerable time, therefore, no fruitful purpose would be served by keeping the petitioners in further custody, consequently, the bail applications deserves to be allowed.

4. Learned Public Prosecutor has vehemently opposed the bail applications.

5. On consideration of the rival submissions and material available on record and in light of submission made by learned counsel for the petitioners but without expressing any opinion on merits/demerits of the case, I am inclined to grant benefit of bail to the petitioners.

6. Consequently, the bail applications under Section 483 B.N.S.S. are allowed and it is directed that the petitioners-**Ali Hussain S/o Saleem and Arif S/o Bajeer Khan**, be released on bail provided each of them furnishes a personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs.25,000/- each to the satisfaction of the learned trial court with the stipulation that they shall appear before that Court on all

subsequent dates of hearing till conclusion of the trial with following further conditions to be complied by petitioner-Arif:-

- (i) that the petitioner-Arif shall mark his presence before the SHO, Police Station Bayana, District Bharatpur in every 15 days of each month till conclusion of trial.
- (ii) The concerned SHO is directed to maintain a register for this purpose. In case, the petitioner fails to mark his presence in the concerned Police Station as directed above, the concerned SHO is directed to immediately report the matter to trial court in this regard.
- (iii) The petitioner shall not repeat any offence in future.
- (iv) If breach of any of the directions is reported or come to the notice of the trial court the same shall alone be a reason for learned Public Prosecutor to apply for cancellation of bail and trial court shall be at liberty to cancel the bail.

(PRAMIL KUMAR MATHUR),J