

Kantilal vs State Of Rajasthan (2025:Rj-Jd:26744) on 2 June, 2025

[2025:RJ-JD:26744]

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR
S.B. Criminal Miscellaneous Bail Application No. 4727/2025

Kantilal S/o Shri Tej Singh Bhabbar, Aged About 40 Years, R/o
Aamli Simoda Faliyo, P.s. Jesawada, Dist. Dahod, Gujarat
(Lodged In Sub Jail, Gulabpura, Dist. Bhilwara)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. Ramdev Rajpurohit
For Respondent(s) : Mr. Rajesh Bhati, PP

HON'BLE MR. JUSTICE SANDEEP SHAH (VACATION JUDGE)

Order 02/06/2025

1. The present bail application under Section 483 of BNSS (439 of Cr.P.C.) has been filed by the petitioner being aggrieved against the order dated 18.03.2025, passed by the learned Additional Sessions Judge Gulabpura, District Bhilwara in Criminal Miscellaneous Bail Case No.59/2025, whereby the learned Court rejected the bail application of the petitioner. The petitioner has been arrested in connection with the FIR No.51/2025 registered at Police Station Gulabpura, District Bhilwara for offences punishable under Sections 305 A, 331(1), 109(1), 331(6), 121(1), 132, 3(5) BNS.

2. The learned counsel for the petitioner submits that the only allegation against the petitioner is with regard to trying to undertake a robbery in school premises and no overt act has been attributed to the petitioner as far as the injury upon Shri Narender Soni, Banwari Lal or Aditya are concerned. It has further been [2025:RJ-JD:26744] (2 of 3) [CRLMB-4727/2025] stated that the nature of injuries have been shown as simple and having been caused by blunt weapon. It has further been asserted that the police have already filed charge-sheet and no recovery is to be effected from the petitioner. It has also been submitted by the learned counsel for the petitioner that it is not a case of any repeated offence and there is no criminal antecedent of the petitioner.

3. Per contra the learned Public Prosecutor has opposed the bail application and submitted that petitioner along with other co-accused in planned manner had committed the robbery in the school and tried to assault the police officers when they tried to stop the petitioner and other co-accused from committing the robbery. It has thus been prayed that considering the nature of offence, the

bail application has rightly been rejected by the trial Court.

4. Having considered the rival submissions and facts and circumstances of the case and considering the fact that the alleged injuries are simple in nature and the fact that the petitioner has no criminal antecedent, the bail application of the petitioner is allowed.

5. Consequently, the bail application under Section 483 B.N.S.S. is allowed. The accused/ petitioner Kantilal son of Shri Tej Singh Bhabbar is arrested in connection with FIR No.51/2025, registered at Police Station Gulabpura, District Bhilwara, shall be released on bail; if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of the trial court, for his [2025:RJ-JD:26744] (3 of 3) [CRLMB-4727/2025] appearance before the Court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

6. It is however, clarified that at this stage the observations made are prima facie and the trial court shall proceed to decide the case on its own merit without being influenced by any observations made by this Court.

(SANDEEP SHAH (VACATION JUDGE)),J 17-charul/-

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