


HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 2982/2026

Satish Yadav S/o Ramkuwar, Aged About 25 Years, R/o Gordhanpura, Tehsil Kotputali, District Kotputali-Behror, Rajasthan.

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 3061/2026

Satish Yadav S/o Ramkuwar, Aged About 25 Years, R/o Gordhanpura, Tehsil Kotputali, District Kotputali-Behror, Rajasthan.

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 3062/2026

Amarsingh S/o Choturam, Aged About 36 Years, R/o Gordhanpura, Tehsil Kotputali, District Kotputali-Behror, Rajasthan.

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr.Manish Gupta
For Respondent(s) : Mr.Vivek Sharma, PP
Mr.Sachin Sharma, Dy. SP, CO,
Police Station Behror – present in
person

HON'BLE MR. JUSTICE SAMEER JAIN
Order

1	Arguments concluded on	23.03.2026
2	Order Reserved on	23.03.2026
3	Full Order or Operative Part Pronounced	Full Order
4	Pronounced on	1.04.2026

1. The present bail applications have been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') on behalf of the accused-applicants (for short, 'the applicants') in connection with FIR Nos. 198/2025 & 199/2025, registered at Sarund, District Kotputli-Behror (Raj.) for the offence(s) under Sections 316(3), 318(4) BNS and after investigation, for the offences under Sections 318(4), 318(3), 316(3), 316(4), 61(2) BNS.

2. Learned counsel for the applicants submitted that the informants, namely Anil Kumar (FIR No. 198/2025) and Vikram Yadav (FIR No. 199/2025), acting on behalf of M/s. Om Logistic and M/s. Capital Logistics, situated at Kotputli, are serving as Managers in the said firm. It was stated in the FIR that UltraTech Cement has a plant at Kotputli, from where one of the raw materials used in the manufacture of cement, namely clinkers, was transported through various trucks/vehicles, aggregating to 1235 metric tons during the period from 27.04.2025 to 25.06.2025 to another plant location at Punjab. However, it is alleged that the said raw material/clinkers were siphoned off en route between the Kotputli plant and Punjab by truck drivers, helpers, the applicants, and other persons, allegedly acting as part of a cartel.

3. It was further submitted that the applicants have already been granted anticipatory bail by the Hon'ble Punjab & Haryana High Court in FIR No. 66/2025, vide order dated 24.12.2025; and that the said FIR was lodged under identical set of facts and allegations. Learned counsel therefore contended that the FIR itself explicitly indicates that the applicants, namely Satish Yadav

and Amar Singh, were not employees of UltraTech Cement and was engaged on a contractual basis, merely for the purpose of transportation. It was further argued that the cause of action has arisen entirely at Rajpura, and therefore, the primary responsibility, if any, lies with UltraTech Cement and its employees stationed in Punjab and not the instant informant, also as if any monetary loss is induced, the same shall be upon UltraTech cement company and not the instant informants. It was submitted that the applicants, who have no criminal antecedents, have been falsely implicated in the present case with an ulterior motive.

4. *Per contra*, learned Public Prosecutor along with the Investigating Officer have vehemently opposed the instant anticipatory bail application, and submitted that an organized offence has been committed by the drivers, helpers, and other persons, including the present applicants. It was contended that the applicants were rendering their services within the operational framework of the UltraTech facility and were well-acquainted with the system of transportation of goods, including the process of recording and accounting of material both at Kotputli and in Punjab. It was further submitted that the applicants, in connivance with the drivers and helpers, have fraudulently misused their position and committed a breach of trust with an ulterior motive, resulting in the siphoning of 1235 metric tons of clinkers, which were never received at the destination plant. It was urged that custodial interrogation of the applicants is imperative in the present case to ascertain the whereabouts of the misappropriated goods and to unravel the *modus operandi* adopted, particularly in

view of the allegation that such siphoning was carried out on a regular basis involving a substantial quantity.

5. It was additionally contended that the anticipatory bail granted by the Hon'ble Punjab & Haryana High Court pertains to a different FIR registered at the instance of UltraTech Cement and is clearly distinguishable on facts. It was submitted that the said FIR, dated 22.06.2025, relates only to Truck No. RJ32 GC 1718, whereas the present FIR pertains to a prolonged period involving multiple vehicles. Furthermore, the present FIR has been registered in the State of Rajasthan at the instance of a transport/logistics company, thereby rendering the earlier order inapplicable to the facts of the present case.

6. Heard the submissions made by learned counsel appearing for respective parties, and perused the material available on record.

7. At the outset, it is trite that while considering a bail application, the Court is required to balance the personal liberty of the accused with the larger interest of society and the requirement of a fair and effective investigation. In the present case, the allegations against the applicants are of serious nature involving siphoning of a huge quantity of raw material i.e., 1235 metric tons of clinkers over a sustained period, allegedly in connivance with other accused persons forming a cartel. The material on record *prima facie* indicates that the offence is not an isolated act but appears to be part of an organized and systematic activity involving multiple vehicles and coordinated efforts. The contention of the applicants regarding grant of anticipatory bail in another FIR does not persuade this Court, inasmuch as the said FIR

pertains to a distinct transaction involving a single vehicle, whereas the present case involves a much larger conspiracy extending over a considerable period and multiple transactions. Therefore, the principle of parity is not attracted.

8. Considering the nature and gravity of the allegations, the magnitude of the alleged misappropriation, and the requirement of custodial interrogation for effective investigation, this Court is of the opinion that the applicants do not deserve the discretionary relief of bail at this stage. In support of the said view, this Court is highly persuaded by the ratio passed by the Hon'ble Apex Court in **Rakesh Mittal v. Ajay Pal Gupta @ Sonu Chaudhary & Anr.:** **2026 INSC 161** and **Y.S. Jagan Mohan Reddy v. CBI (2013) 7 SCC 439** wherein it is categorically stated that in cases involving serious economic offences or organized criminal activities, a stricter approach is warranted and that the principles governing bail in heinous offences apply with equal force to serious economic offences, as such crimes adversely affect the economic fabric of society

9. Further, having regard to the nature of allegations, there exists a reasonable apprehension that, if released on bail, the applicants may hamper the ongoing investigation or influence the witnesses connected with the transportation and accounting process.

10. Considering the magnitude of the alleged offence, the role attributed to the applicants, and the necessity of custodial interrogation to ascertain the modus operandi and trace the misappropriated goods, this Court finds that grant of bail at this stage would be detrimental to a fair and effective investigation. In

light of the settled principles governing bail in serious and economic offences, as enunciated by the Hon'ble Supreme Court, this Court holds that the applicants are not entitled to the discretionary relief of bail at this stage. Accordingly, the bail applications deserves to be, and are hereby, **dismissed**. However, it is cautiously made clear that no observations are made qua the merits or demerits of the case.

11. A copy of this order be separately placed in each connected file.

(SAMEER JAIN),J

Preeti Asopa