HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 4026/2026
CNR: RJHC020240222026 | URN: CRLMB / 7161U / 2026

Kailash S/o Shri Ghasiram, R/o Bhojpura, Police Station Phagi, District Jaipur (Rajasthan) (At Present In Central Jail Jaipur).

----Petitioner

Versus

The State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Rajesh Kumar Sharma Mr. Jitendra Choudhary
For Respondent(s)	:	Mr. Amit Kumar Gupta, PP

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR
Order

03/09/2026

1. The petitioner has preferred this bail application under Section 483 of BNSS in FIR No.3/2026 registered at Police Station Phagi, District Jaipur Rural for offences under Sections 103(1) and 3(5) of BNS, 2023.

2. Heard learned counsel for the petitioner as well as learned Public Prosecutor and perused the material available on record.

3. Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case. He submits that the allegation levelled against the present petitioner is that he caused the murder of the deceased- Kajod. However, during the course of trial, none of the witnesses examined, stated the name of the petitioner as an assailant and there is no material available on record from which it can be inferred that the petitioner was involved in the present case. He further submits that the mother of the deceased Mohri Devi (PW-5) has also not disclosed the

name of the petitioner. The other material witnesses, namely PW-6 Ramraj and PW-7 Surendra have also turned hostile. He argued that the remaining witnesses including the complainant Sonu and the so-called material witness Pooja, are not eyewitnesses to the incident, and their statements are merely hearsay. Petitioner is behind the bars since 19.01.2026 though two cases have been reported against him, however, in both cases he is already on bail. Charge-sheet has already been filed. The trial of the case will take considerable time, therefore, no fruitful purpose would be served by keeping the petitioner in further custody, consequently, the bail application deserves to be allowed.

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

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

6. Consequently, the bail application under Section 483 B.N.S.S. is allowed and it is directed that the petitioner Kailash S/o Shri Ghasiram, be released on bail provided he 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 he shall appear before that Court on all subsequent dates of hearing till conclusion of the trial.

(PRAMIL KUMAR MATHUR),J

Chandan/9