HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 17060/2025
CNR: RJHC021137772025 | URN: CRLMB / 32772U / 2025

Jaswant Singh S/o Puranmal, R/o Tejaji Mohalla, Near Pani Ki Tanki, Village Mahrawata, P.s. Kishanganj, Distt. Baran Raj. (At Present In Central Jail At Kota)

----Petitioner

Versus

The State Of Rajasthan, Through Public Prosecutor.

----Respondent

For Petitioner(s)	:	Mr. Sajid Ali Ms. Nidhi Upman
For Respondent(s)	:	Mr. Jaiprakash Tiwari, PP with Mr. Sapan Soni

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HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

08/09/2026

1. The petitioner has preferred the present bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), in connection with FIR No. 293/2025 registered at Police Station Borkhera, District Kota City, for the offences under Sections 109(1), 333 and 3(5) of the 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 the present case. He submits that though there is an allegation against the present petitioner for causing the death of deceased-Deepak but as per the mateiral available on record, nothing has been established

which shows the active participation of the present petitioner. It is co-accused Chander Prakash with whom the scuffle between the deceased Deepak and Chander Prakash is occurred and mere presence of the petitioner at the place of occurrence does not establish that the petitioner had any active role in the charged offence. He again submits that there was no premeditation or prior meeting of minds by which charged offence can be attributed to the petitioner. Petitioner is above 18 years of age and has been in custody since 31.10.2025. Charge-sheet has already been filed. The statements of material witnesses from PW-1 Rukmani and PW-2 Rekha Rani have already been recorded. Out of total 32 witnesses, the statements of only two witnesses have been recorded. 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 and submits that the statement of PW-2 Rekha Rani, establishes the active participation of the present petitioner in the commission of the offence. It is stated that the present petitioner caught hold of the deceased, then co-accused, Chandra Prakash, allegedly stabbed knife, which prima facie indicates the active participation of the present petitioner. Therefore, at this stage, the present petitioner may not be entitled to the benefit of bail.

5. Having regard to the gravity of the offence, the submissions advanced by the learned Public Prosecutor and the testimony of

PW-2, which reflects that the present petitioner caught hold of the deceased, Deepak, whereafter the co-accused Chandra Prakash used the knife, resulting in the death of the deceased, this Court is of the considered view that at this stage, the petitioner is not entitled to the benefit of bail.

6. Consequently, the present bail application is hereby dismissed.

(PRAMIL KUMAR MATHUR),J

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