

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 551/2026

Sher Khan Alias Sher Mohammad S/o Aamdeen Khan, Aged About 68 Years, Aged 68 Years, Resident Of Musalmano Ki Dhani, Police Station Ramdevra, District Jaisalmer, Rajasthan. (Lodged In Sub Jail Pokaran)

----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor.

----Respondent

For Petitioner(s)	:	Mr. D.S. Gharsana Mr. Shabaz Khan Mr. Sourav Shekhar
For Respondent(s)	:	Mr. Hanuman Prajapati, PP Mr. D.K. Godara, for complainant

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

17/03/2026

1. The instant bail application has been filed under Section 483 BNSS on behalf of accused-petitioner. The accused-petitioner has been arrested in connection with FIR No. 57/2025 registered at Police Station Ramdevra, District Jaisalmer for the offences under Sections 190, 103(1), 191(2), 61(2)(a), 335 of BNS.
2. Learned counsel for the accused-petitioner submits that the accused-petitioner has falsely been implicated in this case. It is argued by the learned counsel for the petitioner that the petitioner Sher Khan was not present at the place of the incident. Furthermore, in the statements recorded under Section 180 of the BNSS by the eye-witnesses, namely Usman, Mohd. Arif, and Mohd. Asif, the petitioner has not been named. It is also alleged against

the petitioner that preceding to the incident, some altercation took place between the petitioner and the deceased and in consequence to that, the petitioner along with the other co-accused caused fatal injuries to the deceased, which resulted into his death. It is further contended that the petitioner did not participate in commission of the offence, and therefore, considering the fact that the petitioner is in custody since long and the trial/investigation of the case may take considerable time, there are no criminal antecedents against the accused-petitioner, therefore, the bail application of the accused-petitioner may be allowed.

3. Learned Public Prosecutor and learned counsel for the complainant have vehemently opposed the bail application and contended that the petitioner is the king pin, who hatched the conspiracy along with the other co-accused and complainant Usman, in his statement recorded under Section 180 of BNSS has clearly stated that altercation took between the petitioner and the deceased and the petitioner threatened the deceased and his family members to bear the consequences. Thereafter, the conspiracy was hatched and in consequence thereto, on 11.09.2025, deceased was severely beaten by the other co-accused and deceased sustained injuries at his chest. In the histopathology report, it was also observed that the deceased had sustained injuries to both kidneys and had edema. The cause of death of deceased is chest injury. It is also argued that if the petitioner is granted bail, then the petitioner may threaten and pressurize the material witnesses, therefore, considering the

aforesaid facts, the bail application of the petitioner deserves dismissal.

4. Heard and perused the material available on record.

5. Considering the fact that the eye witnesses, namely, Usman, Mohd. Arif, Mohd. Asif and Sattar in their statement recorded under Section 180 of BNSS have specifically alleged for causing injuries to the deceased by the other co-accused. Name of the present petitioner has not been mentioned in their statement as an active participant in the alleged crime. Though, the complainant Usman in his statement rendered under Section 180 of BNSS has alleged that petitioner along with the other co-accused have hatched the conspiracy before the said incident, and the petitioner threatened the deceased and his family members to bear the consequences, however, considering the aforesaid facts, also that the accused-petitioner is in custody since long, the trial/investigation of the case may take considerable time and there are no criminal antecedents against the accused-petitioner, therefore, without commenting anything on the merits of the case, I deem it just and proper to enlarge the accused-petitioner on bail.

6. Accordingly, the bail application under Section 483 BNSS is allowed and it is ordered that the accused-petitioner **Sher Khan Alias Sher Mohammad S/o Aamdeen Khan**, in connection with FIR No. 57/2025 registered at Police Station Ramdevra, District Jaisalmer, shall be enlarged on bail provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for



his appearance before the court concerned on all the dates of hearing and as and when called upon to do so.

(PRAVEER BHATNAGAR),J

33-AnilKC/-