

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

S.B. Criminal Miscellaneous Bail Application No. 639/2026

Bhag Singh @ Bhagwan Singh S/o Hari Singh, Aged About 30 Years, R/o Sawai Singh Ki Basti, Balai teh and P.S. Shiv District Barmer. (At Present Petitioner Is Lodged In District Jail Barmer.)

-----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

-----Respondent

For Petitioner(s)	:	Mr. Girdhar Singh Bhati Mr. Ishwar Singh
For Respondent(s)	:	Mr. Prem Singh Panwar, PP Mr. Surendra Bagmalani for complainant

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

26/02/2026

1. The present bail application has been filed by the accused-applicant under Section 483 of the B.N.S.S, 2023 against the order dated 03.01.2026 passed by learned Sessions Judge, Barmer, District Barmer in connection with FIR No.228/2025, registered at Police Station Shiv, District Barmer for the offences punishable under Sections 126(2), 115(2) and 105 of BNS, by which the bail application of the accused-applicant under Section 483 of the B.N.S.S, 2023 has been dismissed.
2. Learned counsel for the accused-applicant submits that the accused-applicant has falsely been implicated in this matter. Learned counsel for the accused-applicant argues that the allegations against the accused-applicant are that he assaulted the deceased- Inder Singh, by kicking him in the abdomen and chest,

as a result of which he sustained injury to his intestine. Learned counsel further submits that the incident is stated to have occurred on 04.10.2025; however, the deceased was admitted to the hospital on 07.10.2025 and subsequently died on 20.10.2025. It is submitted that the charge-sheet has been filed against the accused-applicant for the offences punishable under Sections 126(2), 115(2), and 105 of the BNS, while treating the case as one of culpable homicide not amounting to murder. It is further submitted that there was no intention to kill the deceased and that the case is merely one of assault and beating, in which no weapon was used. It is also submitted that no other criminal case has been registered against the accused-applicant. Learned counsel also argues that the accused-applicant was arrested on 24.10.2025 and since then, he is behind the bars. Learned counsel further contends that charge-sheet has been filed. Learned counsel prays that trial will take long time to conclude, therefore, the accused-applicant be enlarged on bail.

3. On the other hand, learned Public Prosecutor and learned counsel for the complainant have opposed the bail application and submitted that the charges against the accused-applicant are serious in nature and, therefore, he should not be enlarged on bail.

4. Heard learned counsel for the parties and also perused the material available on record.

5. Having regard to the considering the facts and circumstances of the case and looking to the facts that the charges levelled against the accused-applicant are for offences punishable under Sections 126(2), 115(2), and 105 of the BNS, while treating the

case as one of culpable homicide not amounting to murder; that no weapon was used in the alleged incident; that the incident occurred on 04.10.2025; that the deceased was admitted to the hospital on 07.10.2025 due to certain injuries, he was died on 20.10.2025; that the accused-applicant is behind the bars since 24.10.2025; that the charge-sheet has been filed and trial will take long time to conclude, but without expressing any opinion on the merits/demerits of the case, this Court deems it proper to allow the bail application filed by the accused-applicant.

6. Consequently, this bail application filed under Section 483 of the B.N.S.S, 2023 is allowed. It is ordered that accused-applicant **Bhag Singh @ Bhagwan Singh S/o Hari Singh**, arrested in FIR No.228/2025, registered at Police Station Shiv, District Barmer, shall be released on bail; provided he furnishes personal bond in the sum of Rs.**1,00,000/-** and two solvent **attested** sureties of Rs.**50,000/-** each to the satisfaction of the learned trial Court.

7. The Accused-Applicant shall be required to appear before that Court on all dates of hearing and as and when called upon to do so.

(ASHUTOSH KUMAR),J