

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 1237/2026

Ajaypal Singh Alias Kapal Singh S/o Jasu Singh, Aged About 38 Years, Resident Of Rewda Police Station Rashmi District Chittorgarh (Presently Lodged At Sub Jail Kapasan)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Vijay Gaur with Mr. Pradhyumn Singh
For Respondent(s)	:	Mr. Hanuman Singh, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

25/02/2026

1. This application for bail has been filed by the petitioner under Section 483 of BNSS (old Section 439 of Cr.P.C.). The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	08/2025-26
2.	Date of lodging FIR	27.08.2025
3.	Concerned Police Station	Excise Centre Kapasan
4.	District	Chittorgarh
5.	Offences alleged in the FIR	16/54, 21/54, 58-C and 54-D of the Rajasthan Excise Act, 1950
6.	Offences added, if any	--

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case and false allegations have been levelled against him. The offences alleged against the present petitioner are triable by Magistrate and petitioner has

been made accused merely on the statement of co-accused whereas he was not found at the time when the alleged recovery of liquor was made. The petitioner is in judicial custody since 16.12.2025 and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

3. Learned Public Prosecutor vehemently opposes this bail application and submits that petitioner may not be enlarged on bail looking to the criminal antecedents however, he is not in a position to refute the fact that the offences alleged against the present petitioner are triable by Magistrate.

4. Heard learned counsel for the petitioner and learned Public Prosecutor and perused the material available on record.

5. Having considered the rival submissions, facts and circumstances of this case and after perusing the case diary so also the fact that petitioner was made accused on the statement of co-accused; the petitioner was not present at the time when the alleged liquor was confiscated and the offences alleged against the present petitioner are triable by Magistrate, in the considered opinion of this Court, no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period as the trial will take sufficiently long time. Thus, without expressing any opinion on merits/demerits of the case, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

6. Accordingly, the bail application filed under Section 483 of BNSS is allowed. It is ordered that petitioner- **Ajaypal Singh Alias Kapal Singh S/o Jasu Singh**, shall be released on bail in connection with the aforesaid FIR; provided he executes personal

bond in the sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- each to the satisfaction of learned trial Court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

7. It is however, made clear that findings recorded/observations made above are for limited purposes of adjudication of bail application. The trial court shall not get prejudiced by the same.

(SUNIL BENIWAL),J

24-AbhishekK/-