

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 1247/2026

Suresh Kathat S/o Shri Deva Kathat, Aged About 31 Years, R/o Village Aliji Ki Dhani, Birantiya Khurd, Police Station Barr, District Beawar (Presently Lodged In Dist. Jail Beawar)

-----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

-----Respondent

For Petitioner(s) : Mr. Awar Dan Ujjwal
For Respondent(s) : Mr. Hanuman Singh Prajapat, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

24/02/2026

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	203/2025
2.	Date of lodging FIR	15.11.2025
3.	Concerned Police Station	Bar
4.	District	Beawar
5.	Offences alleged in the FIR	Sections 64(2)(m), 308(2) and 331(4) of BNS, 2023
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. He further submits that the petitioner is aged about 31 years, whereas the prosecutrix is a married woman

aged about 35 years. It is contended that the relationship between the petitioner and the prosecutrix was consensual.

2.1 In support of this submission, learned counsel has referred to the messages exchanged between the petitioner and the prosecutrix as well as certain bank transactions between them. It is further submitted that the petitioner and the prosecutrix were earlier in a consensual relationship, however, due to some misunderstanding and family pressure, the prosecutrix lodged the present FIR.

2.2 It is also contended that even after lodging of the FIR, there was communication between the prosecutrix and the petitioner, wherein she allegedly narrated the circumstances under which she was compelled to lodge the FIR and indicated that the same had been lodged under pressure.

2.3 The petitioner is in judicial custody since 16.01.2026 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 the prosecutrix has specifically asserted the allegation of sexual assault against the present petitioner in her statements recorded under Sections 180 and 183 of the BNSS.

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, more particularly the exchange of messages between the prosecutrix and the present petitioner prior to and even after lodging of the

FIR so also that the prosecutrix is a 35 year-old married woman, 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- **Suresh Kathat S/o Shri Deva Kathat** 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