

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 1704/2026

Raghunath Singh Alias Raghuv eer Singh S/o Shri Ran Singh, Aged About 38 Years, Karauli, Mandphiya Police Station, Tehsil Bhadesar, District Chittorgarh, Raj. (Presently Lodged In Nimbahera Sub Jail, Distt. Chittorgarh, Raj.)

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Bhuri Devi W/o Babu Lal Vashnav, Aged About 65 Years, Mandfiya, Tehsil Nimbahera, District Chittorgarh, Rajasthan, Permanent Resident Of Riya, Pipar City, District Jodhpur, Rajasthan

-----Respondents

For Petitioner(s)

:

Mr. Rishbabh Tayal
Mr. Jitendra Choudhary
Mr. Vaibhav Bang
Ms. Muskan Jangid

For Respondent(s)

:

Mr. Hanuman Prajapat, PP
Mr. Pranjal Babel for complainant

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	129/2025
2.	Date of lodging FIR	09.12.2025
3.	Concerned Police Station	Mandphiya
4.	District	Chittorgarh
5.	Offences alleged in the FIR	Sections 64(1) and 333 of the BNS, 2023.

6.	Offences added, if any	-
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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. FIR was lodged on 09.12.2025 for the alleged incident which is said to have occurred on 24.11.2025. The age of the prosecutrix at the time of incident was 65 years and the age of the petitioner was 37 years. At the time of incident, the husband of the prosecutrix came on the spot and soon after the incident, the premises was vacated by the prosecutrix. While referring to the medical report, learned counsel for the petitioner submits that it does not indicate any sexual assault on the prosecutrix and there is no evidence as to whether any forceful act could be alleged against the present petitioner. The petitioner is in judicial custody since 13.12.2025 and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

3. Learned Public Prosecutor and learned counsel for the complainant vehemently oppose this bail application and submit that the prosecutrix in her statements recorded under Sections 180 and 183 of the BNSS has specifically asserted that the petitioner committed rape and considering such statements, petitioner may not be enlarged on bail.

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

5. Having considered the rival submissions, facts and circumstances of this case and after perusing the challan papers so also considering the facts that there is delay in lodging the FIR; the husband of the prosecutrix came on the spot where the

incident is alleged to have occurred; so also no supportive medical evidence to indicate any forceful act, 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- **Raghunath Singh Alias Raghuv eer Singh S/o Shri Ran 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