

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODH-
PUR**

S.B. Criminal Miscellaneous Bail Application No. 1868/2026

Kanhaiya Lal Bheel Alias Kana Bheel S/o Sh Heera Lal Bheel,
Aged About 22 Years, R/o Ochadi, Police Station Sadar, District
Chittorgarh, Rajasthan. At Present Lodged In Jail Chittorgarh

-----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

-----Respondent

For Petitioner(s) : Mr. Dharmendra Singh Gaur
For Respondent(s) : Mr. Lalit Kishore Sen, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

23/02/2026

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	44/2026
2.	Date of lodging FIR	17.01.2026
3.	Concerned Police Station	Sadar Chittorgarh
4.	District	Chittorgarh
5.	Offences alleged in the FIR	Section 303(2) of BNS, 2023
6.	Offences added, if any	Sections 331(4) and 305 of BNS, 2023

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 petitioner are triable by Magistrate. The petitioner is in judicial

custody since 22.01.2026 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 petitioner is having criminal antecedents of like nature, therefore, he may not be enlarged on bail. However, he is not in a position to refute the fact that the offences alleged 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 the offences alleged 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- **Kanhaiya Lal Bheel Alias Kana Bheel S/o Sh Heera Lal Bheel** 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

46-Ashutosh/-