

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

S.B. Criminal Miscellaneous Bail Application No. 1999/2026

Kamlesh S/o Nanu Ram, Aged About 23 Years, Resident of Dor,
Police Station Arnod, District Pratapgarh, Rajasthan (Lodged In
Dist. Jail Pratapgarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. VK Gaur
For Respondent(s)	:	Mr. Hanuman Prajapati, PP Mr. OP Choudhary, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

13/02/2026

1. This application for bail has been filed by the petitioner under Section 483 of BNSS (old Section 439 of Cr.P.C.) in connection with FIR No. 3/2026 dated 02.01.2026, Police Station Arnod, Pratapgarh, for the offences under Sections 126(2), 115(2), 352, 309(6) and 3(5) of the 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. He further submits that the offences alleged against the present petitioner are triable by Magistrate. The stolen motorcycle has already been recovered and no further recovery is to be made in the present case. The petitioner is in judicial custody since 03.01.2026 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.

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 against the present petitioner are triable by Magistrate; the stolen motorcycle has already been recovered and no further recovery is to be made in the present case; the petitioner is in judicial custody since 03.01.2026, 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- **Kamlesh S/o Nanu Ram**, 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