

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 2146/2026

Kalu S/o Pancha, Aged About 54 Years, R/o Peeli Khera Police Station Dholapani District Pratapgarh Presently Lodged In Sub Jail Chotti Sadri District Pratapgarh

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Rahul Batty
For Respondent(s)	:	Mr. Hanuman Prajapati, 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	01/2025-26
2.	Date of lodging FIR	24.04.2025
3.	Concerned Police Station	Chotisadri (Excise)
4.	District	Pratapgarh
5.	Offences alleged in the FIR	Section 16/54 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 offence alleged against the present petitioner is triable by Magistrate. FIR was filed against unknown person and petitioner has been made accused merely on

apprehension. The petitioner is in judicial custody since **28.01.2026** 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, however, he is not in a position to refute the fact that offence alleged against the present petitioner is 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 offence alleged against the present petitioner is 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- **Kalu S/o Pancha**, 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

39-amar/-