

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

S.B. Criminal Miscellaneous Bail Application No. 2372/2026

1. Suresh Chandra @ Suresh S/o Jai Chand Mogiya, Aged About 27 Years, Residence Of Bhanuja Dang, Police Station Nikumbh, District Chittorgarh, Present Address, Varni, Shankar, Kalbheliya Ka Dera Police Station Mavli, District, Udaipur, Rajasthan
(Petitioner In Sub Jail Bali, Distt. Pali.)
2. Shankar Nath S/o Omkarnath @ Ishwar Nath Kalbheliya, Aged About 45 Years, Residence Of Arni Police Station Rashmi District Chittorgarh, Present Address, Varni Police Station Mavli, District, Udaipur.
(Petitioners In Sub Jail Bali, District-Pali)

-----Petitioners

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Chandan Singh
For Respondent(s)	:	Ms. Sonu Manawat, PP

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

24/02/2026

1. The present bail application has been filed by the accused-applicants under Section 483 of the B.N.S.S., 2023 against the order dated 20.11.2025 passed by learned Additional Sessions Judge, Bali, District Pali in Bail Application No.117/2025 arising out of FIR No.55/2025, registered at Police Station Falna, District Pali for the offences punishable under Sections 309(6) and 317(2) of BNS, 2023 by which the bail application of the accused-applicants under Section 483 of the B.N.S.S., 2023 has been dismissed.

2. Learned counsel for the accused-applicants submits that they have been falsely implicated in the present case. It is further submitted that a charge-sheet has been filed against the accused-applicants for the offence punishable under Section 309(6) of the BNS, 2023, which is triable by a Judicial Magistrate. Learned counsel further argues that the co-accused, Hemant Soni, has already been granted the benefit of bail; however, the bail application of the present accused-applicants has been dismissed on account of certain other criminal cases pending against them.

3. Learned counsel for the accused-applicants contends that the accused-applicants were arrested on 18.05.2025 and have been in judicial custody since then. It is further contended that the charge-sheet has already been filed and the trial is likely to take a considerable time to conclude; therefore, the accused-applicants may be granted the benefit of bail.

4. Learned Public Prosecutor has opposed the bail application and submits that two other criminal cases are registered against accused Suresh Chandra and as many as 25 other criminal cases are registered against accused Shankar Nath. Therefore, considering the criminal antecedents of the accused-applicants, the benefit of bail ought not to be granted to them.

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

6. Considering the overall facts and circumstances of the case, looking to the period of custody of the accused-applicants; the fact that the charge levelled against the accused-applicants is triable by Judicial Magistrate; the fact that the other co-accused

person has already been enlarged on bail; that the charge-sheet has been filed and trial will take long time to conclude, without expressing any opinion on the merits/demerits of the case, this Court deems it proper to allow the bail application filed by the applicants.

7. Consequently, this bail application filed under Section 483 of the B.N.S.S., 2023 is allowed. It is ordered that accused-applicants **(1) Suresh Chandra @ Suresh S/o Jai Chand Mogiya & (2) Shankar Nath S/o Omkarnath @ Ishwar Nath Kalbheliya**, arrested in connection with FIR No.55/2025, registered at Police Station Falna, District Pali shall be released on bail; provided each of them furnishes personal bond in the sum of Rs.1,00,000/- and two solvent attested sureties of Rs.50,000/- each to the satisfaction of the trial Court. Applicants shall be required to appear before that Court on all dates of hearing and as and when called upon to do so.

(ASHUTOSH KUMAR),J