

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

S.B. Criminal Miscellaneous Bail Application No. 2397/2026

Shiva Wadiva S/o Dhanu Wadiya, Aged About 22 Years, Kilod,
Panchayat Malakpur, Police Station Aamala, District Betul,
Madhya Pradesh (Presently Lodged In Central Jail Bikaner)

-----Petitioner

Versus

State Of Rajasthan, Through The Public Prosecutor

-----Respondent

For Petitioner(s)	:	Mr. Naresh Tak Mr. Yuvraj Singh Chouhan
For Respondent(s)	:	Mr. Sameer Pareek, PP

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

23/02/2026

1. The petitioner has filed this bail application under Section 483 of BNSS in FIR No.269/2025 registered at Police Station Khajuwala, District Bikaner for offence under Section 3/25 (1-B) (A) of Arms Act.
2. Heard learned counsel for the petitioner as well as learned Public Prosecutor and perused the material available on record.
3. Learned counsel for the petitioner submits that the allegation against the present petitioner is that from his conscious possession one country made pistol along with one magazine, which was made of iron-like metal and handle was fitted with a black plastic cover, was recovered. The petitioner is behind the bars since 31.08.2025 and though one case of similar nature and eight criminal antecedents of different nature have been registered against the present petitioner but in all cases he is on

bail. The charge-sheet has been filed. The trial of the case may take considerable time and no further custodial interrogation is required. Hence, the bail application of the petitioner may be allowed.

4. Learned Public Prosecutor has vehemently opposed the bail application.

5. On consideration of the rival submissions and material available on record and in the light of submission made by learned counsel for the petitioner but without expressing any opinion on merits/demerits of the case, I am inclined to grant benefit of bail to the petitioner.

6. Consequently, the bail application under Section 483 B.N.S.S. is allowed and it is directed that the petitioner **Shiva Wadiva S/o Dhanu Wadiya**, be released on bail provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs.25,000/- each to the satisfaction of the learned trial court with the stipulation that he shall appear before that Court on all subsequent dates of hearing till conclusion of the trial with following further conditions:-

(i) that the petitioner shall mark his presence before the SHO, Police Station Khajuwala, District Bikaner in every 15 days of each month till conclusion of trial.

(ii) The concerned SHO is directed to maintain a register for this purpose. In case, the petitioner fails to mark his presence in the concerned Police Station as directed above, the concerned SHO is directed to

immediately report the matter to trial court in this regard.

(iii) The petitioner shall not repeat any offence in future.

(iv) If breach of any of the directions is reported or come to the notice of the trial court the same shall alone be a reason for learned Public Prosecutor to apply for cancellation of bail and trial court shall be at liberty to cancel the bail.

(PRAMIL KUMAR MATHUR),J