

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Appeal (Sb) No. 424/2026

Narsaram S/o Kasnaram, Aged About 45 Years, Resident Of
Malipura, Police Thana Mandar, District Sirohi. (Presently Lodged
At District Jail Sirohi)

-----Appellant

Versus

1. State Of Rajasthan, Through Pp
2. Pramila D/o Bheriya, Resident Of Kodarmal(Mandva),
Tehsil Kotda, District Udaipur Raj..

-----Respondents

For Appellant(s) : Mr. JVS Deora

For Respondent(s) : Mr. Hanuman Prajapat, PP
Mr. Rahul for complainant

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

25/02/2026

1. The jurisdiction of this Court has been invoked by way of
filing an appeal under Section 14-A(2) of SC/ST (Prevention
of Atrocities) Act at the instance of accused-appellant. The
requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	124/2025
2.	Concerned Police Station	Jaswantpura
3.	District	Jalore
4.	Offences alleged in the FIR	Sections 332(b), 351(3), 65(1) and 3(5) of the BNS, 2023; Sections 3(2)(v), 3(1)(w)(i) and 3(2)(va) of the SC/ST Act and Sections 3/4 of POCSO Act.
5.	Offences added, if any	Section 64(1) of the BNS, 2023

6.	Date of passing of impugned order	11.02.2026
----	-----------------------------------	------------

2. It is contended on behalf of the accused-appellant that no case for the alleged offences is made out against him and his incarceration is not warranted. There are no factors at play in the case at hand that may work against grant of bail to the accused-appellant and he has been made an accused based on conjectures and surmises.
3. It is argued that FIR was lodged on 06.11.2025 for the alleged incident which is said to have occurred on 25.10.2025. The prosecutrix is aged about 20 years. The manner in which the incident is alleged to have occurred itself indicates that the story is highly improbable. As a matter of fact, there was some monetary dispute between the prosecutrix and the appellant at the time when prosecutrix was working as a wage labour. Subsequent thereto, the monetary dispute has been settled and a compromise has also been entered into between the parties and this fact has been recorded by the trial court. The appellant is in judicial custody since 26.11.2025.
- Based on these submissions, it is argued that the apellant, who is presently in judicial custody, is entitled to be enlarged on bail as the trial will take sufficiently long time to conclude.
4. Contrary to the submissions of learned counsel for the appellant, learned Public Prosecutor opposes the appeal and

submits that the present case is not fit for enlargement of accused on bail.

5. Learned counsel for the complainant fairly concedes that the present FIR was lodged due to misunderstanding on account of some monetary dispute and compromise has taken place between the parties and he has no objection if the appellant is enlarged on bail.
6. Heard learned counsel for the parties and perused the material available on record.
7. Considering the submissions made by learned counsel for both the parties and the facts and circumstances of the case, and the challan papers so also the fact that there is delay in lodging the FIR; learned counsel for the complainant does not oppose the bail application and submitted that FIR was lodged on account of some misunderstanding, this Court is of the considered view that no fruitful purpose would be served by keeping the appellant behind bars for an indefinite period. Thus, without expressing any opinion on merits/demerits of the case, this Court is of the opinion that the appeal filed by the appellant deserves to be allowed.
8. Consequently, the instant appeal is allowed. The impugned order dated 11.02.2026 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Jalore, is set aside. It is ordered that the accused-appellant- **Narsaram S/o Kasnaram**, arrested in connection with aforesaid FIR, shall be released on bail, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs. 25,000/- each

to the satisfaction of the learned trial Court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.

9. 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

63-ajayS/-