

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 2632/2026

1.

Rakesh S/o Laxman Solanki, Aged About 22 Years, R/o Shambhupura, Ps Kalinjara, Dist-Banswara. Raj. (Presently Lodged In Jail Banswara)
2.

Hitesh S/o Laxman Solanki, Aged About 19 Years, R/o Shambhupura, Ps Kalinjara, Dist-Banswara. Raj. (Presently Lodged In Jail Banswara)

-----Petitioners

Versus

State of Rajasthan, Through PP

-----Respondent

For Petitioner(s)

:

Mr. Raghuveer Singh Bhati

For Respondent(s)

:

Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

29/06/2026

1. This application for bail has been filed by the petitioners 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	217/2025
2.	Date of lodging FIR	28.10.2025
3.	Concerned Police Station	Kalinjara
4.	District	Banswara
5.	Offences alleged in the FIR	Under Sections 191(2), 193(3), 190, 329(3) and 103(1) of the BNS, 2023
6.	Offences added, if any	Section 191(3) of BNS, 2023

2. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case and false

allegations have been levelled against them. While referring to the FIR, learned counsel for the petitioners submits that there is no specific role assigned to the present petitioners. It is further submitted that the principal allegation of inflicting injury to the deceased is on co-accused Vinod and Ravinder. Though, wooden sticks were recovered from both the petitioners, however, they are not bearing any blood stains so as to connect the said weapons to the present crime. While referring to the statements recorded under Section 180 BNSS of the deceased's brother Kamlesh, learned counsel submits that there is no allegation on the present petitioners qua inflicting injury to the deceased. Other than the two main accused Vinod and Ravinder, the allegations on all other accused including the present petitioners are omnibus without specifically assigning any role in the crime in question. The petitioners are in judicial custody since 29.10.2025 and the trial will take sufficiently long time, therefore, they deserve to be enlarged on bail.

3. Learned Public Prosecutor vehemently opposes this bail application.

4. Heard learned counsel for the petitioners and learned Public Prosecutor and perused the charge-sheet.

5. Having considered the rival submissions, facts and circumstances of this case and after perusing the charge-sheet and statements so also the fact that prima facie there is no specific allegation on the present petitioners with regard to causing any specific injury to the deceased and there are no

criminal antecedents, in the considered opinion of this Court, no fruitful purpose would be served by keeping the petitioners 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 petitioners deserves to be accepted.

6. Accordingly, the bail application filed under Section 483 of BNSS is allowed. It is ordered that petitioners- **Rakesh S/o Laxman Solanki** and **Hitesh S/o Laxman Solanki** shall be released on bail in connection with the aforesaid FIR; provided they execute personal bond in the sum of Rs.50,000/- each with two sound and solvent sureties of Rs.25,000/- each to the satisfaction of learned trial Court for their 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