

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 2705/2026

Ayush Kumar S/o Shri Dinesh, Aged About 19 Years, R/o Chikla Fala, Sendwada, Police Station-Rishabdev,district-Udaipur Raj.
(Presently Lodged In District Jail Dungarpur)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Anirudh Singh Rathore for Mr. Rakesh Arora
For Respondent(s)	:	Mr. Hanuman Prajapat, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

26/02/2026

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	41/2026
2.	Date of lodging FIR	09.02.2026
3.	Concerned Police Station	Rishabhdev
4.	District	Udaipur
5.	Offences alleged in the FIR	Section 303(2) of the BNS, 2023.
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 and one case which is pending against the petitioner is arising out of the same crime for which

FIR was registered at different police station. The petitioner is in judicial custody since 16.02.2026 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, is not in a position to refute the fact that the 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 so also the fact that the offence alleged against the present petitioner is triable by Magistrate and the petitioner is in judicial custody since 16.02.2026, 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- **Ayush Kumar S/o Shri Dinesh**, 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

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