

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 2718/2026

Ashutosh Sharma Alias Sonaram S/o Manmohan Sharma, Aged About 48 Years, Resident Of 214, Baldev Nagar, Masuriya, Thana Dev Nagar,district Jodhpur City, At Present Resident At 186-Infront Of Birla Dayschool, Adarsh Nagar, Kuldeep Vihar, Thana Chopasani, Housingboard, District Jodhpur City. (Lodged In The District Jail Udaipur

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Harish Purohit Mr. Harsh Purohit
For Respondent(s)	:	Mr. Hanuman Prajapati, 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	455/2025
2.	Date of lodging FIR	21.11.2025
3.	Concerned Police Station	Savina
4.	District	Udaipur
5.	Offences alleged in the FIR	Sections 19/54 and 54-D of the Rajasthan Excise Act, 1950 and 338, 340(2) and 61(2) of the BNS.
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 offences alleged against the present petitioner are triable by Magistrate. Co-accused- Maghvendra Singh and Mularam have been granted bail by a Coordinate Bench of this Court vide orders dated 10.12.2025 passed in S.B. Criminal Miscellaneous Bail Application Nos. 15108/2025 and 15114/2025, respectively. There is one case registered against the petitioner in past, however, he has been acquitted by the trial court. The petitioner is in judicial custody since 11.02.2026 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.

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 offences alleged against the present petitioner are triable by Magistrate and co-accused- Maghvendra Singh and Mularam have been granted bail by a Coordinate Bench of this Court, 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- **Ashutosh Sharma**

Alias Sonaram S/o Manmohan Sharma, 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

235-ajayS/-