

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

S.B. Criminal Miscellaneous Bail Application No. 2860/2026

Dau Gurjar Alias Dev S/o Shri Roshan Gurjar, Aged About 22 Years, R/o Sagrew, Police Station Raipur, District Bhilwara, Rajasthan. (Presently Lodged In Dist. Jail Bhilwara)

-----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Ratan Gurjar S/o Jaguram, R/o Dodkhera Kareda, Bhilwara , Raj.

-----Respondents

For Petitioner(s)	:	Mr. Shiv Kumar Bhati Mr. Bharat Gurjar
For Respondent(s)	:	Mr. Hanuman Prajapati, P.P. Mr. Awar Dan Ujjwal for R-2

HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT
Order

10/03/2026

1. Learned Public Prosecutor has produced report dated 09.3.26 mentioning therein that notice stands served on the respondent No.2. The report is taken on record. Mr. Awar Dan Ujjwal appears on behalf of the respondent No.2. The service is, therefore, complete.
2. The instant bail application has been filed by the applicant under Section 483 BNSS. The applicant has been arrested in connection with FIR No. 235/2025 registered at Police Station Kareda, District Bhilwara for the offence(s) under Section 137 (2), 87, 64 (2) (m), 127 (4) BNS and Section 5 (I)6 of the POCSO Act.
3. Learned counsel for the accused-applicant submits that the applicant has been falsely implicated in the case. Challan has already been filed. He further submits that in her statement

recorded u/s 183 BNSS, the prosecutrix has clearly stated that no wrong act has been committed with her by the applicant, she went with the applicant at her own free will and she does not want any action against the applicant in the matter. The applicant is behind the bars. The trial may take long time to conclude. Thus, learned counsel submitted that the applicant may be enlarged on bail.

4. Per contra, learned Public Prosecutor and counsel appearing for the respondent No.2-complainant vehemently opposed the bail application.

5. Considering the arguments advanced by the counsel for the parties, and the statement of the prosecutrix recorded under Section 183 BNSS wherein she has clearly deposed that no wrong act has been committed with her by the applicant and she does not want any action against the applicant in the matter, and looking to the overall facts and circumstances of the case, without commenting on the merits and demerits of the case, this court deems it just and proper to enlarge the accused-applicant on bail.

6. Accordingly, the bail application under Section 483 BNSS is allowed and it is ordered that the accused-applicant Dau Gurjar @ Dev S/o Roshan Gurjar arrested in connection with aforesaid FIR shall be enlarged on bail provided he furnishes a personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the learned lower court for his appearance before the court concerned on all the dates of hearing as and when called upon to do so.

(YOGENDRA KUMAR PUROHIT),J