

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 2966/2026
CNR: RJHC010234062026
URN: CRLMB / 6781U / 2026

Sattu Kanjar @ Kanu Kanjar S/o Kanu Aliyas Khana Kanjar, Aged
About 39 Years, Resident Of Chitabada Police Station Bijoliya
District Bhilwara (Lodged In Dist. Jail Bhilwara)

-----Petitioner

Versus

State Of Rajasthan, Through The Public Prosecutor

-----Respondent

For Petitioner(s)	:	Mr. Naresh Khatri
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP Mr. Ravindra Singh Bhati, AGA

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

13/07/2026

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	344/2024
2.	Date of lodging FIR	17.12.2024
3.	Concerned Police Station	Bijolia
4.	District	Bhilwara
5.	Offences alleged in the FIR	Section 103(1) of 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 petitioner has been made accused merely on an apprehension. During trial, the statement of

complainant PW-3 Farulal is recorded, however, he has turned hostile. The statements of PW-1 Lad Devi, PW-2 Kailash, PW-4 Niku Bai W/o Farulal and PW-5 Pyarelal have also been recorded and all the witnesses have turned hostile. As per the status report obtained from learned trial Court, out of 18 witnesses, the statement of 5 have been recorded. None of the witnesses examined so far has supported the prosecution case as all have turned hostile. The petitioner is in judicial custody since 17.12.2024 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, he is not in a position to refute the fact that PW-1 to PW-5 which also includes the complainant (deceased brother) have turned hostile.

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 and after perusing the challan papers so also considering the fact that all the eye witnesses examined so far including PW-3 (complainant) has turned hostile; the wooden stick was recovered at the instance of the present petitioner was sent for FSL, however, the FSL report does not support the prosecution case and that the prosecution has not expressed any apprehension qua the petitioner fleeing away from justice, in case he is enlarged on bail, 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- **Sattu Kanjar @ Kanu Kanjar S/o Kanu Aliyas Khana Kanjar** 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