



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

S.B. Criminal Miscellaneous 2nd Bail Application No. 3250/2026

Kala Alias Govind S/o Shri Major Singh, Aged About 29 Years, R/o Nandram Ki Dhani Tehsil And District Hanumangarh At Present Lodged In District Jail Hanumangarh.

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Kalu Ram Bhati.

For Respondent(s) : Mr. Shrawan Singh Rathore, PP.

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

ORDER

15/04/2026

1. This Court perused the material available on record.
2. The petitioner has been arrested in connection with FIR No.409/2019 of Police Station Tibbi, District Hanumangarh for the offence punishable under Sections 148, 458, 302/149, 325/149, 323/149 IPC. The present 2nd bail application has been preferred under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS").
3. Learned counsel for the petitioner submits that the petitioner has been in continuous incarceration for a period of about 06 years and on that ground alone, the bail ought to be granted.
 - 3.1 Learned counsel also submits that the similarly situated persons namely Vinod Kumar and Jagga Singh have already been granted bail by this Hon'ble Court and the petitioner is entitled to the benefit of parity.



3.2 In support of aforesaid contentions, learned counsel has placed reliance upon the following pronouncements of the Hon'ble Apex Court:

(i) Sheikh Javed Iqbal @ Ashfaq Ansari @ Javed Ansari v. State of U.P. (2024 SCC Online SC 1755); and

(ii) Javed Gulam Nabi Shaikh v. State of Maharashtra (2024 SCC Online SC 1693).

4. Learned Public Prosecutor opposes the bail application on the ground that the offences alleged against the petitioner are of a heinous in nature. It was further urged that the petitioner is the principal accused in the case, and that the injured eyewitness Ranjeet Singh has specifically attributed to the Petitioner the infliction of the blow that proved fatal to the deceased.

5. This Court on the submissions made and looking to the fact that the petitioner is the main accused in the case and also the injured eyewitness Ranjeet Singh has attributed the main injury directly to the petitioner, the Petitioner's role stands materially distinguishable from that of the co-accused persons, who have been extended the benefit of bail, is not inclined to grant bail to the present petitioner.

6. Accordingly, this 2nd bail application filed under Section 483 BNSS is hereby dismissed.

(DR. PUSHPENDRA SINGH BHATI),J