

RAJASTHAN HIGH COURT

सत्यमेव जयते

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

S.B. Criminal Miscellaneous Bail Application No. 4086/2026
CNR: RJHC010317142026 | URN: CRLMB / 9247U / 2026

Vasu S/o Veerji, Aged About 35 Years, Dhamlat Fala Police Station Ramsagra District Dungarpur (Lodged In Dist. Jail Dungarpur)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Surendra Singh Shaktawat
For Respondent(s) : Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

04/08/2026

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	1/2026
2.	Date of lodging FIR	03.01.2026
3.	Concerned Police Station	Ramsagara
4.	District	Dungarpur
5.	Offences alleged in the FIR	Section 109(1) of 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. He further submits that the petitioner did not intend to cause injury, however, the incident took place on

account of sudden provocation thereby causing injury to the injured-Babli. The weapon allegedly used for causing the injury was not carried by the petitioner in a pre-planned manner rather it happened to be in his possession at that point of time as he was engaged in re-positioning the fence.

2.1 Learned counsel also submits that the petitioner and the injured are close relatives. The statement of injured has also been recorded before the trial court, therefore, there is no possibility of tampering evidence in case the petitioner is enlarged on bail. The petitioner is in judicial custody since 23.01.2026. Out of total 13 witnesses, 2 witnesses have been examined so far 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 and submits that considering the nature of injury inflicted by the petitioner, he may not be enlarged on bail.

4. Heard learned counsel for the parties 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 and the statement of injured-Babli; so also considering the fact that prima facie, the challan papers indicate that there was some quarrel relating to re-positioning of common fencing wall between the petitioner and the injured who are close relatives which resulted in sudden provocation and at that point of time the petitioner was having an iron rod in his hand which was to be used for the purpose of erecting the fence; the petitioner is in judicial

custody since 23.01.2026; 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- **Vasu S/o Veerji**, 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