

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

S.B. Criminal Miscellaneous Bail Application No. 4308/2025

Kamal S/o Shri Harlal, Aged About 32 Years, R/o Salera Khurd,
Tehsil Mavli, District - Udaipur, Raj.

-----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

-----Respondent

For Petitioner(s)	:	Mr. T.R.S. Sodha Mr. C.P. Rajora
For Respondent(s)	:	Ms. Sonu Manawat, Public Prosecutor Mr. Chandan Singh for the complainant

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

17/07/2025

This anticipatory bail application under Section 482 of the BNSS (438 Cr.P.C.) has been filed by the petitioner apprehending his arrest in connection with FIR No.07/2025, registered at Police Station Mavli, District - Udaipur for the offences under Sections 69 & 115(2) of the BNS and Section 67(a) of the IT Act.

Heard learned counsel for the petitioner, learned Public Prosecutor and the learned counsel for the complainant. Perused the material available on record.

Learned Public Prosecutor submitted the factual report dated 08.07.2025 sent by SHO, P.S. Mavli, District - Udaipur.

Learned counsel for the petitioner argued that the complainant/victim and the petitioner were having consensual relations since long and to support this argument, learned counsel for the petitioner has drawn the attention of this Court towards

the photographs and bank transactions made between the petitioner and the victim, which are placed on the record. It is further submitted by the learned counsel for the petitioner that after the interim protection granted by the Coordinate Bench of this Court vide order dated 05.05.2025, the petitioner has appeared before the Investigating Officer and the Investigating Officer has interrogated the petitioner.

Learned counsel for the petitioner further submits that the complainant has earlier filed a complaint (Case No.740/2024) against the petitioner for the offence under Section 126-170 of the BNSS, before the P.S. Mavli, District - Udaipur in which no such type of allegations were levelled against the petitioner by the victim.

Learned counsel for the petitioner further submits that while granting interim protection to the petitioner, the Coordinate Bench of this Court vide its order dated 05.05.2025, directed the petitioner to join investigation. The petitioner has joined the investigation.

In response to the factual report, learned counsel for the petitioner submits that after the interrogation from the petitioner, as per the factual report, during the investigation and till date no such fact has come on record that the petitioner has made viral any obscene photograph through any electronic device. He, therefore, prays that the petitioner be enlarged on bail.

Per contra, learned Public Prosecutor and the learned counsel for the complainant vehemently oppose the bail application.

Learned counsel for the complainant/victim submits that the petitioner has taken her mobile phone from her and made viral

her photographs, which were with her colleague Rajkumar, on social media.

This Court finds that in the factual report dated 08.07.2025, it has been mentioned that there is no such fact came on record during the investigation carried out so far.

Having regard to the facts and circumstances of the case and upon a consideration of the arguments advanced at the bar; more specifically the factual report dated 08.07.2025, submitted by the concerned SHO after investigation, this Court is of the opinion that it is a fit case for grant of anticipatory bail to the petitioner under Section 482 of the BNSS (438 Cr.P.C.).

Accordingly, the bail application is allowed and it is directed that in the event of arrest of petitioner- **Kamal S/o Shri Harlal**, in connection with FIR No.07/2025, registered at Police Station Mavli, District - Udaipur, the petitioner shall be released on bail; provided he furnishes a personal bond in the sum of Rs.50,000/- each along with two sureties of Rs.25,000/- each to the satisfaction of the concerned Investigating Officer/S.H.O. on the following conditions :-

- (i). that the petitioner shall make himself available for interrogation by a police officer as and when required;
- (ii). that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or any police officer; and
- (iii). that the petitioner shall not leave India without previous permission of the court.



The report dated 08.07.2025 is taken on record.

(MUKESH RAJPUROHIT),J

165-Ramesh/-