

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

S.B. Criminal Miscellaneous Bail Application No. 4465/2026

Tararam S/o Shri Chenaram, Aged About 22 Years, R/o Bhilo Ka Baas, Rajnagar, Police Station Osian, District Jodhpur Rural, Rajasthan (Presently Lodged In District Jail Phalodi)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Rajesh Kumar
For Respondent(s)	:	Mr. Narendra Gehlot, PP alongwith Mr. OP Choudhary Mr. LK Ramdhari, for complainant

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

05/05/2026

This application for bail under Section 483 BNSS has been filed by the petitioner, who has been arrested in connection with F.I.R. No.12/2025 registered at Police Station Baap, District Phalodi for the offence under Section 137(2) of BNS, 2023 and Sections 3/4, 5(I)(j)Iii)/6 of POCSO Act, 2012.

While arguing bail application, counsel for the petitioner has taken this Court to statement of prosecutrix recorded on 18.7.2025 under Section 183 BNSS, wherein she deposed that she had gone with accused of her own free will, as she was engaged to him and started residing with him alongwith his parents at his in-laws' house. She specifically stated to be pregnant by six months from Sataram and had shown her desire to reside and live alongwith the petitioner. She further stated that

nothing wrong has been committed by the petitioner against her wishes. Further, in his statement, father of prosecutrix i.e. Jasaram (PW-1) stated age of her daughter to be of about 20 years when she eloped from house alongwith the petitioner.

Counsel submits that investigation is complete. Charge-sheet has already been filed. The petitioner is behind the bars since 19.07.2025. The trial of case is likely to take a long time, thus, prayed to enlarge the petitioner on bail.

Learned Public Prosecutor opposed the bail application.

Counsel for the complainant submits that a child has born out of the relationship of petitioner and the prosecutrix and they are residing together as husband and wife.

Heard learned counsel for the parties and perused the material available on record.

This Court has considered the averments advanced by learned counsel and upon going through the statement of the prosecutrix recorded U/s.183 BNSS finds no allegation of rape or sexual assault upon petitioner. The prosecutrix willingly was residing with the accused. She become pregnant and had given birth to a child. More so, charge-sheet has already been filed in the matter and the investigation from petitioner is complete.

Having considered the rival submissions, facts and circumstances of the case, keeping in view of the fact that conclusion of the trial of case is likely to take time and the prosecution has not shown any apprehension of the petitioner fleeing away from justice, in case he is enlarged on bail; but, without expressing any opinion on the merits of the case, I deem

it just and proper to grant bail to the petitioner under Section 483 of BNSS.

Consequently, the bail application under Section 483 BNSS is allowed. It is ordered that the accused-petitioner **Tararam S/o Shri Chenaram** arrested in connection with F.I.R. No.12/2025 registered at Police Station Baap, District Phalodi shall be released on bail, if not wanted in any other case, provided he furnish a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned trial court, for his appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

(BALJINDER SINGH SANDHU),J