

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

S.B. Criminal Miscellaneous Bail Application No. 5311/2026

Deepak S/o Panna Lal, Aged About 20 Years, R/o 265 Eklavya Colony Police Station Ambamata District Udaipur. (At Present Lodged In Central Jail Udaipur)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 4879/2026

Harshit Alias Harsh S/o Khemshankar, Aged About 19 Years, R/o Pratap Chowk Nai, Ps- Nai, Distt.- Udaipur Rajasthan (At Present Lodged At District Jail Udaipur.)

-----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

-----Respondent

For Petitioner(s)	:	Mr. Ram Singh Rawal Mr. Anuj Sahlot
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL
Order

03/07/2026

1. These applications for bail have been filed by the petitioners 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	69/2026
2.	Date of lodging FIR	28.03.2026
3.	Concerned Police Station	Nai
4.	District	Udaipur
5.	Offences alleged in the FIR	Sections 115(2), 126(2), 109(1) and 3(5) of BNS, 2023
6.	Offences added, if any	Section 117(2) of BNS, 2023

2. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and that false allegations have been levelled against them. It is contended that no offence punishable under Section 109(1) of BNS is made out against the present petitioners.

2.1 While referring to the injury report, learned counsel submits that the injured sustained two injuries, both of which have been opined to be grievous in nature. It is further argued that as a matter of fact, the injuries have been classified as grievous in nature solely on account of delay in obtaining medical treatment and he submits that had timely treatment has been administered, the injuries would not have been reported to be grievous in nature. It is also submitted that petitioner - Deepak is in judicial custody since 16.04.2026 and petitioner – Harshit @ Harsh is in judicial custody since 08.04.2026. Based on the above submissions, it is prayed that the petitioners be enlarged on bail.

3. Learned Public Prosecutor has vehemently opposed the bail application and submits that immediately after sustaining the injuries, the injured was admitted to the Government Hospital, Udaipur and considering the seriousness of the injuries, was thereafter referred to Ahmedabad for further treatment. It is submitted that there was no negligence or delay in providing medical treatment to the injured and the injuries have rightly been opined to be grievous in nature. It is, therefore, prayed that the petitioners may not be enlarged on bail.

4. Heard learned counsel for the petitioners and learned Public Prosecutor and perused the material available on record.

5. Having considered the rival submissions and upon perusal of the charge-sheet as well as the statement of the injured recorded during investigation, wherein it has been alleged that the petitioners inflicted two injuries upon the injured, which have been found to be grievous in nature, this Court is of the considered view that, at this stage, no case for grant of bail is made out. Without expressing any opinion on the merits or demerits of the case, this Court is not inclined to enlarge the petitioners on bail.

5. Accordingly, the present bail applications are dismissed.

6. However, the petitioners would be at liberty to file fresh bail application after the statement of the injured is recorded before the trial Court.

(SUNIL BENIWAL),J