

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

S.B. Criminal Miscellaneous Bail Application No. 5760/2026
CNR: RJHC010421782026
URN: CRLMB / 12861U / 2026

Ranjeet S/o Sohan Lal, Aged About 20 Years, R/o Jala Phala Mundwada B Police Station Kherwada District Udaipur. (At Present Lodged In District Jail Dungarpur)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Jitendra Ojha
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

08/07/2026

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	186/2025
2.	Date of lodging FIR	01.08.2025
3.	Concerned Police Station	Rishabhdev
4.	District	Udaipur
5.	Offences alleged in the FIR	Sections 64(1), 87, 351(3) and 3(5) of the BNS
6.	Offences added, if any	Sections 127(3) & 64(2)(m) of the BNS

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 contends that the present FIR came

to be registered on 01.08.2025 in respect of an alleged incident dated 01.06.2025.

2.1 Learned counsel for the petitioner further submits that there is gross delay in lodging of the FIR. As per the allegations contained in the FIR, the prosecutrix, who is about 19 years of age and a married woman, returned to her home on 06.06.2025 and informed her parents about the alleged incident only after about 20 days, i.e., on 26.06.2025. Thereafter, it is alleged that an attempt was made to lodge the report on 30.06.2025. It is argued that the petitioner is approximately 20 years of age, the prosecutrix is approximately 19 years of age and that the relationship between them was consensual.

2.2 He also submits that though, in her statements recorded under Sections 180 and 183 of the BNSS, 2023, as well as in her statement before the Court as PW-1, the prosecutrix has alleged that the petitioner committed sexual assault upon her, however, a bare reading of the said statements would reveal that after leaving her home, she stayed with the petitioner for about three days and thereafter both of them travelled by public transport to Ahmedabad, where they stayed for another three days. The statements further indicate that the prosecutrix has categorically stated that she is a married woman and has also admitted that she neither sustained any injury nor were her clothes torn and while travelling to Ahmedabad, there were several passengers in the bus, but she did not raise any protest or alarm.

2.3 Based on the above circumstances, he submits that the relationship between the petitioner and the prosecutrix was

consensual and the present FIR came to be lodged only after their relationship was exposed. If the relationship had not been exposed, the present FIR would not have been lodged. The petitioner is in judicial custody since 25.11.2025 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 in view of the specific allegations made by the prosecutrix in her statements recorded under Sections 180 and 183 of the BNSS, 2023, the petitioner is not entitled to be enlarged on bail.

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

5. Having considered the rival submissions, facts and circumstances of this case and after perusing the charge-sheet as well as the statements of the prosecutrix recorded under Sections 180 and 183 of the BNSS, 2023 and her statement before the Court as PW-1; considering that there is a delay in lodging of the FIR so also the fact that the prosecutrix informed her parents about the alleged incident after about 20 days of her returning to home and that there was further delay in lodging the report with the police; considering the fact that the petitioner and the prosecutrix travelled together by public transport, where other passengers were present, yet there is no material to indicate that the prosecutrix raised any protest or alarm during the journey; considering the statements of the prosecuterix wherein she has stated that she did not sustain any injury and her clothes were not

torn; which *prima facie*, indicate that the relationship between the petitioner and the prosecutrix was consensual, 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- **Ranjeet S/o Sohan Lal** 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