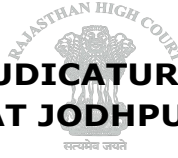




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Criminal Miscellaneous Bail Application No. 5730/2026
CNR: RJHC010425472026 | URN: CRLMB / 12822U / 2026

Sanwalaram S/o Premaram, Aged About 22 Years, R/o Gang P.s
Raniwara, District Jalore. (In Judicial Custody At Central Jail
Jodhpur)

-----Petitioner

Versus

State Of Rajasthan, Through P.p

-----Respondent

For Petitioner(s)	:	Mr. Jagmal Singh Choudhary, Sr. Adv. Mr. Pradeep Choudhary Ms. Sampati Godara
For Respondent(s)	:	Mr. Surendra Bishnoi, PP Mr. Purshottam Sarswat

HON'BLE MR. JUSTICE SANDEEP SHAH

Order

03/08/2026

1. The applicant has filed the present bail application under Section 483 of BNSS being aggrieved against the order dated 23.04.2026 passed by the learned Additional Sessions Judge, Bhinmal, District Jalore in Criminal Misc. Bail Case No.107/2026, whereby the bail application filed by the accused-applicant under Section 483 of B.N.S.S. was rejected. The accused-applicant is behind the bars, pursuant to the F.I.R. No.281/2024 registered at Police Station Raniwara, District Sanchoe for the offences punishable under Sections 126(2), 115(2), 109(1), 308(2) & 3(5) of BNS.

2. Learned counsel for the applicant submits that a similarly situated co-accused Laxmana Ram, has already been enlarged on



bail by co-ordinate Bench of this Court after considering the statements of alleged eye-witnesses Jeta Ram @ Jayanti Lal (PW-3) and Magan Ram (PW-5) and in this regard, learned counsel refers to the bail order dated 24.03.2026 passed in ***S.B. Criminal Miscellaneous Bail Application No. 1738/2026*** (*Laxmana Ram v. State of Rajasthan*), wherein, the details of the said statements have been quoted and, consequently, bail was granted. Learned counsel further submits that another person named by both witnesses, namely Manji Ram, has also been enlarged on bail by a coordinate Bench of this Court vide order dated 11.09.2025 passed in ***S.B. Criminal Miscellaneous Bail Application No. 9971/2025*** (*Manji Ram v. State of Rajasthan*). Learned counsel submits that the only distinguishing feature is that a lathi was recovered from the applicant. Although the applicant disputes this recovery, he submits that even according to the FSL report, the blood found on it was not that of the deceased. Learned counsel, therefore, submits that the case of the applicant cannot be distinguished from that of co-accused Laxmana Ram, from whom, an iron pipe was recovered with an inconclusive blood group result. Learned counsel further submits that the applicant has been in judicial custody since 13.12.2024 and that the trial is likely to take a substantial amount of time to conclude. He, therefore, prays that the benefit of bail be granted to the accused-applicant.

3. *Per contra*, the learned Public Prosecutor as well as the learned counsel for the complainant oppose the bail application and submit that the statement of PW-3- Jeta Ram @ Jayanti Lal clearly indicates that the head injury to the deceased was caused



by the applicant. They further submit that the recovery of lathi from the applicant, when read in conjunction with the testimony of the eye-witness PW-3- Jeta Ram @ Jayanti Lal, corroborates the fact that the applicant is the main accused in the case at hand. They, therefore, pray for rejection of the bail application.

4. Heard learned counsel for the applicant as well as learned Public Prosecutor and perused the material available on record.

5. Having considered the arguments advanced by both sides and having regard to the facts and circumstances of the case, so far as the injury upon the head of the deceased is concerned, the post-mortem report (at page number 58 of the paper-book of the connected file) does not fortify the averment made by the eye-witness, as there is no corresponding head injury recorded in the post-mortem report. Further, so far as the FSL report is concerned, though a lathi is shown to have been recovered from the applicant, the blood found on it has been certified as not belonging to the blood group of the deceased, as per the FSL report (at page number 126 of the paper-book of the connected file). Thus, prima facie, simply based upon the recovery of the lathi, the applicant cannot be connected with the offence in question. Furthermore, considering that identical allegations have been levelled against the applicant, Laxmana Ram, and Manji Ram, and that both Manji Ram and Laxmana Ram have been enlarged on bail by co-ordinate Bench of this Court, the applicant also deserves to be enlarged on bail on the ground of parity. Also taking into account that the applicant has been behind bars since 13.12.2024 and that the trial is likely to take a considerable amount of time to conclude, this Court, without expressing any



opinion on the merits of the case, is inclined to enlarge the applicant on bail.

6. Consequently, the bail application under Section 483 B.N.S.S. is **allowed**. It is ordered that the accused-applicant **Sanwalaram S/o Premaram**, arrested in connection with F.I.R. No.281/2024 registered at Police Station Raniwara, District Sanchoe shall be released on bail, if not wanted in any other case, provided he furnishes 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.

7. It is further, made clear that the findings recorded/observations made herein above are for limited purposes of adjudication of bail application and the same shall not prejudice the trial of the case in any manner.

(SANDEEP SHAH),J