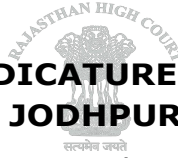




**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**



S.B. Criminal Miscellaneous Bail Application No. 5578/2026

Sita Ram S/o Banshilal, Aged About 25 Years, R/o Bishnoi Bas,
Alaya, Presidently Ratadi, P.s. Shree Balaji, District- Nagaur. (At
Present Lodged At Dist. Jail Nagaur)

-----Petitioner

Versus

State Of Rajasthan, Through P.p.

-----Respondent

For Petitioner(s)	:	Mr. BS Rathore
For Respondent(s)	:	Mr.Prem Singh Panwar,PP Mr. Yuvraj Sonel

HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT

Order

03/07/2026

1. The instant bail application has been filed by the applicant **Sita Ram S/o Banshilal** under Section 483 BNSS against the order impugned passed by learned court below in connection with **FIR No.02/2026** registered at **Police Station Shri Balaji District Nagaur** for the offence(s) under **Sections 331(4), 351(2), 351(3), 64(1) of BNS**.
2. Heard learned counsel for the parties. Perused the material available on record.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the prosecutrix is 33 years old, while the accused is 25 years old, and it can be assumed more and more that with the consent of prosecutrix physical relations were established. He further submits that the applicant is in judicial custody and trial of



the case will take long time to conclude. Accordingly learned counsel submits that the accused-applicant may be enlarged on bail.

4. Per contra, learned public prosecutor and learned counsel for the complainant vehemently opposed the bail application.

5. I have considered the rival submissions advanced by the learned counsel for the parties and perused the statement of the prosecutrix recorded under Section 183 of the BNSS, as well as the statements of witnesses Shivilal and Smt. Paru recorded under Section 180 of the BNSS. In her statement, it has been clearly stated by the prosecutrix that the accused entered the house and committed the wrongful act. The witnesses Shivilal and Smt. Paru stated that on hearing the shouting of the prosecutrix, they arrived at the spot and found both the accused and the prosecutrix in a naked condition. In the facts and circumstances of the case, it would not be appropriate to release the accused on bail before the statement of the prosecutrix is recorded.

6. Looking to the nature and gravity of the offences, and keeping in view overall facts and circumstances of the case, without commenting on the merits and demerits of the case, this Court is not inclined to grant bail to the accused-applicant at this stage.

7. Accordingly, the bail application is dismissed. The petitioner is at liberty to file fresh bail application of after the statement of prosecutrix is recorded before the trial Court.

(YOGENDRA KUMAR PUROHIT),J