

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

S.B. Criminal Miscellaneous Bail Application No. 5732/2026

Shrawan Ram S/o Kojaram, Aged About 19 Years, R/o Rajsagar Chamu, P.s. Chamu, District Jodhpur, Rajasthan. (Presently Lodged In Central Jail Jodhpur)

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Papuram S/o Dhanaram, Aged About 38 Years, R/o Munjasar, P.s. Lohawat, Phalodi, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Manphool
For Respondent(s)	:	Mr. Surendra Bishnoi, PP Mr. Naresh Bishnoi, for complainant

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

07/05/2026

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.213/2026 registered at Police Station, Lohawat, District Phalodi for the offences under Sections 137(2), 87, 96, 65(1), 351(2) of BNS, 2023 and Sections 3/4(2), 11/12 of POCSO Act, 2012.

Counsel for the petitioner submits that after investigation charge-sheet has been filed against petitioner for the offence under Sections 137(2), 87, 96 BNS, 2023 and Sections 11/12, 16/17 of POCSO Act. The allegations levelled against the petitioner is that he took the prosecutrix and committed rape and also recorded her video. It is stated that statement of the

prosecutrix, who is now 19 years old, has been recorded before the trial court. She stated that no such incident of any kind happened with her and she had gone of her own will to her aunt's house. The trial of case is likely to take a long time, thus, prayed to enlarge him on bail.

Learned Public Prosecutor opposed the bail application.

Counsel present for the respondent no.2 does not dispute the fact that the prosecutrix has turned hostile and she denies the entire incident.

The prosecutrix in her statement before the court has denied the incident and stated she has gone out of her own will to her aunt's place. Thereafter, she was recovered by police while coming back. She denied of giving any statement before the police. So far as the statement before court are concerned, it is stated that the same was recorded under the pressure of police. In such circumstance the involvement of petitioner become doubtful.

Hence, looking to overall facts of the case and further keeping in view of the fact that conclusion of 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 **Shrawan Ram S/o Kojaram** arrested in connection with F.I.R.

No.213/2026 registered at Police Station, Lohawat, 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

60-Sanjay/-