

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

S.B. Criminal Miscellaneous Bail Application No. 5773/2026

CNR: RJHC010439632026

URN: CRLMB / 12886U / 2026

1. Girdhari S/o Joraram, Aged About 55 Years, Resident Of Muktaprasad Nagar, Behind Sector No. 08, Rajiv Nagar, Police Station Muktaprasad Nagar, District Bikaner.
2. Ramnivas S/o Fularam, Aged About 43 Years, Resident Of Hanuman Mandir Near Side Of Daga Bangla, Ward No. 03, Sarvodaya Basti, Banglanagar District Bikaner.

----Petitioners

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. R.S. Choudhary
For Respondent(s)	:	Mr. Narendra Gehlot, PP assisted by Mr. Omprakash Choudhary Mr. Bharat Singh Rathore

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

17/07/2026

1. This instant application under Section 482 of BNSS is filed by the applicants-accused **1. Girdhari S/o Joraram 2. Ramnivas S/o Fularam** for seeking anticipatory bail in event of arrest in connection with FIR No.502/2025 dated 19.09.2025 registered at P.S. Nokha, District- Bikaner, for alleged offence under Sections 115(2), 126(2), 329(3), 324(4), 351(2), 125(a), 189(2) of BNS and Section 27 of Arms Act.
2. Learned counsel for the applicants submits that the applicants have falsely implicated in a concocted criminal

case. He also submitted that the applicants may be arrested due to ulterior motive and to fulfill personal *vendetta* of complainant though there is no evidence against the applicants-accused. He further submitted that the applicants are law abiding citizen having no previous criminal antecedents, but they assure full cooperation with Investigating Agency.

3. Learned counsel for applicants submits that due to land dispute a property was attached under Section 145-146 of Cr.P.C. which was later released but the complainant party has tried to disturb the possession of the accused party and has assaulted the accused party as an aggressor. He also submitted that both the parties have registered FIR against each other and cross cases were registered wherein both the parties have suffered injuries which is evident from the case diary. He also submitted that the matter was investigated and after first investigation role and involvement of petitioner-accused Ramnivas was not found but under the pressure of complainant the matter was re-investigated and now the role and involvement of Girdhari and Ramnivas has been established. He submitted that the complainant has filed exaggerated report indicating use of firearm by Ramnivas but police has not found use of firearm by any of the petitioner. He also submitted that Ramnivas is a Government servant and only because he is a Government servant the complainant has implicated him.
4. Aforesaid contentions were opposed by learned counsel for the complainant and learned Public Prosecutor. Learned

counsel for the complainant has submitted that the allegation upon Ramnivas is that he fired from a pistol. He also submitted that accused party has tried to disturb possession when police has handed over the possession pursuant to order of a Court.

5. Heard learned counsel for the parties and learned Public Prosecutor. Perused the material available on record submitted by both the parties.
6. On basis of a complaint dated 19.09.2025 lodged by complainant Banwari Lal against 10 named and 4-5 unnamed persons FIR No.502/2025 was registered at Police Station Nokha, District Bikaner for incident of early morning of 19.09.2025. After initial investigation involvement of Ramnivas and Mohanlal were not found but after subsequent investigation the involvement of Ramnivas and Girdhari were found. The police has found neither Bhanwarlal is involved nor offence under Section 27 of Arms Act is made out.
7. We have considered the report submitted by Police Station Nokha with regard to investigation and also considered the facts as placed before us. The material clearly indicate that there was a property dispute and due to property dispute both the sides have registered a criminal case against each other.
8. Having considered the police report and the material placed on record for perusal, the matter is still at the investigation stage, but the investigation so far indicates that the petitioner-applicant is not required for custodial interrogation. Considering the assurance of cooperation and

also the fact that there is no criminal antecedents against the petitioner-applicant, without expressing any opinion on role of the present petitioner-applicant, it is appropriate to grant anticipatory bail.

9. In view of the facts and circumstances of the case, the bail application under Section 482 BNSS, is hereby allowed and it is ordered that in the event of arrest of applicants-accused **1. Girdhari S/o Joraram 2. Ramnivas S/o Fularam** in connection with FIR No.502/2025 dated 19.09.2025 registered at P.S. Nokha, District- Bikaner, for alleged offence under Sections 115(2), 126(2), 329(3), 324(4), 351(2), 125(a), 189(2) of BNS and Section 27 of Arms Act, the applicants **1. Girdhari S/o Joraram 2. Ramnivas S/o Fularam** shall be released on bail upon furnishing a personal bond of Rs. ₹50,000/- with two sureties of like amount to the satisfaction of the Investigating Officer on the following conditions:-

- (i) Till completion of investigation, the applicants shall not leave the jurisdiction of the State of Rajasthan without prior permission of the concerned Court.
- (ii) The applicants shall make himself available for interrogation by the Investigating Officer as and when required in relation to present criminal case.
- (iii) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Investigating Officer during investigation.

- (iv) The applicants shall not tamper with any evidence or try to influence any witness in any manner.
 - (v) The applicants shall disclose his passport number, if any, to Investigating Officer and shall not leave the Country without prior permission from the concerned Court.
 - (vi) The applicants shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
 - (vii) Failure to comply with any of the aforementioned conditions, shall entail the cancellation of the anticipatory bail order.
10. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J