

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

S.B. Criminal Miscellaneous Bail Application No. 6142/2026
CNR: RJHC010459502026
URN: CRLMB / 13617U / 2026

Ashish S/o Dhulji, Aged About 20 Years, Resident Of
Simalkheda, police Station Sajjangarh, District Baswara Raj.
(Lodged In Dist. Jail, Baswara)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Hitendra Singh
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

06/07/2026

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	21/2026
2.	Date of lodging FIR	11.02.2026
3.	Concerned Police Station	Sallopat
4.	District	Banswara
5.	Offences alleged in the FIR	Sections 137(2), 64(2)(m) and 65(1) of BNS and Sections 5(I) and 6 of POCSO Act.
6.	Offences added, if any	Section 87 of 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. The incident is alleged to have occurred on 02.02.2026 and the FIR was lodged on 11.02.2026. The statements of prosecutrix recorded under Section 180 BNSS and 183 BNSS clearly reveal that the relation between the petitioner and the prosecutrix were consensual. The prosecutrix traveled with the present petitioner through public transport and stayed with petitioner for about 8-10 days. Neither any FIR nor any missing report was filed by the parents of the prosecutrix in the intervening period which further shows that the relation between the petitioner and the prosecutrix was consensual and the present FIR has been lodged after the relation was exposed. The petitioner is in judicial custody since 13.02.2026 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.

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 challan papers so also considering the statements of prosecutrix recorded under Sections 180 and 183 BNSS which reveal that the prosecutrix traveled with the petitioner through public transport at different places without any protest; the FIR was lodged after about 10 days which also prima facie indicates that the relation between petitioner and the prosecutrix was consensual; and both petitioner and prosecutrix are aged about 20 years, 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- **Ashish S/o Dhulji**, 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