



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



S.B. Criminal Miscellaneous Bail Application No. 6941/2026

CNR: RJHC010532322026

URN: CRLMB / 15394U / 2026

Shyamsunder S/o Narayan Prasad, Aged About 37 Years,
Resident Of Ward No 7 Satasar Tehsil Shri Dungargarh District
Bikaner.

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Amitabh Vijaywargia
For Respondent(s)	:	Mr. Narendra Gehlot, PP assisted by Mr. Omprakash Choudhary

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

13/07/2026

1. This instant application under Section 482 of BNSS is filed by the applicant-accused **Shyamsunder S/o Narayan Prasad** for seeking anticipatory bail in event of arrest in connection with FIR No.165/2026 dated 18.04.2026 registered at P.S. Shri Dungargarh, District- Bikaner, for alleged offence under Sections 121(2), 132, 189(2) of BNS.
2. Learned counsel for the applicant submits that the applicant has falsely implicated in a concocted criminal case. He also submitted that the applicant may be arrested due to ulterior motive and to fulfill personal *vendetta* of complainant though there is no evidence against the applicant-accused. He further submitted that the applicant is a law abiding citizen



having no previous criminal antecedents, but he assures full cooperation with Investigating Agency.

3. Learned counsel for applicant submits that complainant Ramswaroop has filed a report against four named and one unnamed person but without specific mention of any offered act committed by present petitioner. He also submitted that the main allegation is upon Subhash and he was arrested by police but later he was granted bail by the trial Court. He also submitted that present petitioner is not required for any custodial interrogation as involvement of present petitioner has not been proved from any of the material brought on record. He also submitted that the offence under Section 121(2) of BNS is not made out even on acceptance of the entire story of the prosecution. At last he submitted that there is no criminal antecedent against the petitioner.
4. Aforesaid contentions were opposed by learned Public Prosecutor and submitted that the applicant-accused has committed an offence and his custodial interrogation is required hence, he is not entitled to anticipatory bail.
5. Heard learned counsel for the applicant-accused and learned Public Prosecutor. Perused the material available on record submitted by both the parties.
6. On basis of report dated 18.04.2026 lodged by complainant Ramswaroop (ASI) against four named and one unnamed person FIR No.165/2026 was registered at Police Station Shri Dungargarh, District Bikaner. The petitioner is one of the person named in FIR. The police investigation suggest that when accused Subhash was directed by Ramswaroop,



ASI to remove his tractor and clear the road then he used criminal force. The involvement of other persons such as Shiv Prakash has already been proved. The police has already arrested Shiv Prakash and Bhawani Shankar @ Subhash and as per the statement of learned counsel both were granted bail. Present petitioner and Dinesh Sharma were also found involved. The injuries upon Ramswaroop were examined on 19.04.2026 and it is just a complaint of heaviness, pain and less hearing than before due to alleged assault. There is no specific opinion about the injury but no document suggest that the injury is grievous in nature. There is no criminal antecedent against the petitioner and there is no assignment of any specific injury upon present petitioner.

7. 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.
8. 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 applicant-accused **Shyamsunder S/o Narayan Prasad** in connection with FIR No.165/2026 dated 18.04.2026 registered at P.S. Shri



Dungargarh, District- Bikaner for offence under Sections 121(2), 132, 189(2) of BNS, the applicant **Shyamsunder S/o Narayan Prasad** 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 applicant shall not leave the jurisdiction of the State of Rajasthan without prior permission of the concerned Court.
- (ii) The applicant shall make himself available for interrogation by the Investigating Officer as and when required in relation to present criminal case.
- (iii) The applicant 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 applicant shall not tamper with any evidence or try to influence any witness in any manner.
- (v) The applicant 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 applicant 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.

9. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J