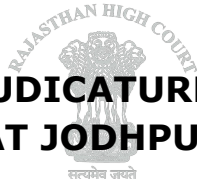


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Criminal Miscellaneous IInd Bail Application No. 8545/2026
CNR: RJHC010544312026
URN: CRLMB / 18529U / 2026

Jatin Tanwar S/o Sampat Lal Tanwar, Aged About 21 Years, R/o Gopinath Mandir Ke Pass, Jasolai Talai, P.S. Nayashahar, Bikaner. (Presently Lodged In Central Jail, Bikaner)

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Sunil Datt S/o Gopal Datt, R/o Swamiyon Ka Mohalla Hanumanmandir Ke Pass Jassusar Get Bikaner.

-----Respondents

For Petitioner(s)	:	Mr. Shyam Sunder Khatri Mr. Lakshya Khatri
For Respondent(s)	:	Mr. Narendra Gehlot, PP Mr. Devi Singh Bhati for complainant

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

13/07/2026

1. The present second bail application under Section 483 of BNSS is filed by the applicant-accused **Jatin Tanwar S/o Sampat Lal Tanwar** seeking bail in respect of a criminal case registered as FIR No. 41/2026 dated 17.02.2026 registered at Police Station Nayashahar, District Bikaner, for the offence under Sections 324(2), 329(3), 74, 75(2), 79, 126(2), 351(2) of BNS, 2023 and under Sections 7, 8, 11(i), 11(iv) & 12 of POCSO Act, 2012 (Amended 2019).
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter and the

investigation against him is complete and he is no more required in investigation. He further submits that there are no chance of fleeing of applicant-accused from the jurisdiction of this Hon'ble Court. He also submits that the applicant undertakes not to repeat offence and cooperate with trial, which will take time.

3. Learned counsel for the applicant submits that the statement of victim has been recorded as PW-1 whereas the statement of parents were recorded as PW-2 and PW-3 and all of them have turned hostile and not supported the case of prosecution. He also submitted that the entire case rest upon solitary testimony of victim and now nothing is on record against the applicant-accused.
4. Learned Public Prosecutor has opposed the bail application but learned counsel for complainant has supported the case of prosecution.
5. Heard learned counsel for the parties and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. On basis of a report dated 17.02.2026 filed by PW-2 father of 17 year old victim FIR No. 41/2026 was registered at PS Nayasahar District Bikaner and after arrest of present applicant-accused on 22.03.2026 a charge-sheet has already been filed. The statement of victim has been recorded as PW-1 and she has turned hostile and not supported the case of prosecution. The parents of victim PW-2 and PW-3 have also turned hostile and they have also not supported the case of prosecution. While examining herself as PW-1 the

victim has deposed that her year of birth is 2006 and not 2009 as claimed by the prosecution while forwarding the charge-sheet to the Court.

7. This Court also finds that the applicant-accused has remained in custody for a considerable period of time and that the trial/proceedings are likely to take further time to conclude. Therefore, looking to the entirety of the facts and circumstances of the case and without expressing any opinion on the merits thereof, this Court deems it appropriate to grant bail to the applicant-accused.
8. Thus, the second bail application filed on behalf of applicant-accused **Jatin Tanwar S/o Sampat Lal Tanwar**, is hereby allowed and the applicant-accused is ordered to be released on bail upon furnishing a personal bond of ₹50,000/- with two sureties of like amount to the satisfaction of the Trial Court with the following conditions:-
 - (i) The applicant-accused shall not tamper with evidence or influence the witness in any manner.
 - (ii) The applicant-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
 - (iii) The applicant-accused shall attend the hearing of the Trial Court on the date fixed by the Trial court or as and when asked to appear before the Trial Court.
 - (iv) In case of any violation of above conditions, the bail granted to the applicant-accused shall be liable to be canceled.

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

(ASHOK KUMAR JAIN),J

5/Simran/703