

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 7219/2026

Shaitan Bhil S/o Banna Bhil, Aged About 31 Years, R/o Hukampura, P.s. Phuliyankalan, District Bhilwara (At Present Lodged At Sub-Jail, Shahpura, District Bhilwara)

-----Petitioner

Versus

State Of Rajasthan, Pp

-----Respondent

For Petitioner(s) : Mr. Abhishek Charan
For Respondent(s) : Mr. Sameer Pareek, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL
Order

03/07/2026

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	103/2026
2.	Date of lodging FIR	05.05.2026
3.	Concerned Police Station	Phulia Kala
4.	District	Bhilwara
5.	Offences alleged in the FIR	Sections 64(1), 64 (2)(m) and 331(4) of BNS
6.	Offences added, if any	-

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 FIR has been lodged after a delay of about four to five months. He also submits that there was consensual relationship between the petitioner and the prosecutrix however, when the relation was exposed, the present FIR has

been lodged. The petitioner is in judicial custody since 12.05.2026 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 and submits that the petitioner has committed rape on multiple occasions and despite protest of the prosecutrix and despite all possible endeavors been made by the family members, he continued to sexually harass the prosecutrix, therefore, the petitioner may not be enlarged on bail.

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 case diary so also considering the fact that in the statements recorded under Section 180 and 183 of BNSS, it is specifically alleged that petitioner has committed rape on multiple occasions, this Court is not inclined to grant bail to petitioner at this stage. Accordingly, the present bail application is dismissed.

6. 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.

7. However, the petitioner would be at liberty to file fresh bail application after filing of charge-sheet.

(SUNIL BENIWAL),J