

RAJASTHAN HIGH COURT

सत्यमेव जयते

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

S.B. Criminal Miscellaneous Bail Application No. 7181/2026
CNR: RJHC010547792026 | URN: CRLMB / 15852U / 2026

Rohan S/o Laxman, Aged About 22 Years, Resident Of
Kator,police Station Bhuganda, Presently Residing Agor Pura
Rajtalab,district Banswara. Raj. (At Present Lodged In District
Jail Banswara)

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Ramesh God S/o Bagaa God, Resident Of Patan,bagidora,
Kalinjara District Banswara

-----Respondents

For Petitioner(s) : Mr. Shive Kumar Bhati

For Respondent(s) : Mr. Urja Ram Kalbi, PP
Mr. Bhawani Singh for complainant

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

23/07/2026

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	10.04.2026
3.	Concerned Police Station	Banswara
4.	District	Banswara
5.	Offences alleged in the FIR	Section 137(2), 126(2), 127(2), 65(1) of BNS and Sections 3, 4 of POCSO Act and Section 67 of Information Technology Act, 2000.
6.	Offences added, if any	Section 5(l)/6 of POCSO Act and Section 308(3) 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 allegation in the present FIR is that the petitioner had a forceful sexual intercourse with the victim and that he possessed certain obscene photographs and videos based on which, he blackmailed the victim and also extorted money from her. These allegations are absolutely false, frivolous and baseless as the police after thorough investigation, have not been able to make out any case under the Information Technology Act, 2000. The petitioner is in judicial custody since 19.04.2026 and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

3. Learned Public Prosecutor and learned counsel for the complainant vehemently oppose this bail application.

3.1 Learned counsel for the complainant submits that the petitioner is presently aged about 22 years and committed forceful sexual assault with the victim who was aged about 14 years and 2 months at the time of incident. While referring to the statement of one Vishal, with whom the victim was later engaged, he submits that the photographs of the victim and the petitioner were posted on Instagram, which resulted in breakdown of their engagement. This further indicates that the petitioner had a relationship with the victim who is admittedly a minor. It has been opined in the medical report that possibility of sexual intercourse cannot be denied. Therefore, the petitioner may not be enlarged on bail.

4. Heard learned counsel for the parties 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 statement of the victim; the fact that the petitioner is presently 22 years of age and was 20 years old on the date of incident while the victim at the time of incident was aged 14 years and 2 months, this Court is not inclined to enlarge petitioner on bail at this stage.

6. Accordingly, the bail application filed under Section 483 of BNSS is dismissed.

(SUNIL BENIWAL),J