

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

S.B. Criminal Miscellaneous 2<sup>nd</sup> Bail Application No. 8095/2026  
CNR: RJHC010557652026  
URN: CRLMB / 17600U / 2026

Kamil Khan S/o Shri Shakir Hussain, Aged About 30 Years,  
Resident Of 35, Garib Nawaj Colony, Police Station Kotwali, Pali.  
(At Present Lodged At Central Jail, Jodhpur)

-----Petitioner

Versus

Prosecution-State, Through Pp

-----Respondent

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| For Petitioner(s) | : | Mr. Talmeez Ahmed         |
| For Respondent(s) | : | Mr. Vikram Rajpurohit, PP |

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**HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU**

**Order**

**16/07/2026**

Heard learned counsel for the parties and perused the material available on record.

The petitioner has been arrested in connection with FIR No.75/2026 registered at Police Station Soorsagar, District Jodhpur City West for the offences punishable under Sections 308(2) and 64(1) of the Bharatiya Nyaya Sanhita, 2023. The present is the second bail application preferred by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Learned counsel for the petitioner submits that while rejecting the first bail application, liberty was granted to the petitioner to file a fresh bail application after filing of the charge-

sheet. He submits that the investigation has since been completed and the charge-sheet has already been filed.

Learned counsel further submits that the prosecutrix is aged about 32 years, whereas the petitioner is about 30 years of age. It is contended that both were well acquainted with each other and were in regular contact through phone calls as well as *Snapchat*. However, after their relationship came to the knowledge of the family of the prosecutrix, the present FIR came to be registered. It is further submitted that the prosecutrix is a married woman and, according to the petitioner, she was subjected to pressure by her husband, resulting in the lodging of the present FIR.

Learned counsel has taken this Court through the statements of the prosecutrix recorded under Sections 180 and 183 of the BNSS, wherein she has stated that she was regularly communicating with the petitioner through phone calls and *Snapchat* and had voluntarily shared her contact details with him. It is submitted that although the allegation against the petitioner is that he recorded objectionable videos of the prosecutrix and thereafter blackmailed her, the mobile phone recovered from the petitioner has been examined during investigation and no such video or incriminating material has been found therein. Thus, according to the learned counsel, the allegations of blackmail are not *prima facie* substantiated by the material collected during investigation. It is also submitted that the petitioner has remained in judicial custody since 27.03.2026 and that the conclusion of the trial is likely to take considerable time.

Per contra, learned Public Prosecutor as well as learned counsel appearing for the complainant have vehemently opposed the bail application.

This Court has given its thoughtful consideration to the rival submissions and has carefully gone through the material available on record. At this stage, it is not expected to undertake a meticulous examination of the evidence or record any finding on the merits of the allegations. However, it is evident from the statements of the prosecutrix recorded during investigation that both the petitioner and the prosecutrix are major, married individuals who were admittedly in regular contact through phone calls and social media. It is also not in dispute that the investigation has been completed and the charge-sheet has already been filed. Significantly, despite the allegation that objectionable videos were used to blackmail the prosecutrix, no such video or other incriminating material has been recovered from the mobile phone seized from the petitioner during investigation. The evidentiary value of the allegations and the material collected is a matter to be examined by the learned trial Court during the course of trial.

Having regard to the totality of the facts and circumstances of the case, particularly the completion of investigation, filing of the charge-sheet, the period of incarceration undergone by the petitioner since 27.03.2026, the absence of any material indicating that his further custodial detention is necessary, and there being no apprehension expressed by the prosecution that

the petitioner would abscond or interfere with the course of justice if enlarged on bail, this Court is of the opinion that the petitioner has made out a case for grant of bail.

Hence, keeping in view of the fact that conclusion of the trial of the case is likely to take time and the prosecution has not shown any apprehension of the petitioner fleeing away from justice, in case he is enlarged on bail and without expressing any opinion on the merits of the case, this Court deems it just and proper to grant bail to the petitioner under Section 483 of BNSS.

Accordingly, this bail application filed under Section 483 of BNSS is **allowed** and it is directed that petitioner –**Kamil Khan S/o Shri Shakir Hussain** shall be released on bail in connection with **FIR No.75/2026 of Police Station Soorsagar, District Jodhpur City West**, if not wanted in any other case, provided he executes a 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.

(BALJINDER SINGH SANDHU),J