

RAJASTHAN HIGH COURT

सत्यमेव जयते

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

S.B. Criminal Miscellaneous Bail Application No. 8289/2026
CNR: RJHC010558102026 | URN: CRLMB / 18025U / 2026

Shani S/o Rakesh, Aged About 18 Years, R/o Spice Hotel Ke
Piche, Kumhari Darwaja, Nagaur, Police Station Kotwali, District
Nagaur Raj. (Presently Lodged In District Jail Nagaur)

-----Petitioner

Versus

State Pf Rajasthan, Through Public Prosecutor.

-----Respondent

For Petitioner(s)	:	Mr. Rajesh Kumar
For Respondent(s)	:	Ms. Sonu Manawat, PP

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

04/08/2026

- Learned PP has furnished report produced by SHO of the Police Station concerned that the complainant has been served/informed.
- This application for bail under Section 483 BNSS has been filed by the petitioner, who has been arrested in connection with F.I.R. No.18/2026 registered at Police Station Mahila Thana, (Nagaur), District Nagaur for the offence under Sections 137(2), 3(5) of BNS, 2023 and Section 5(L)(6) and 16/17 of POCSO Act.
- Counsel for the petitioner submits that in the present case, main allegations are against co-accused Anil and the allegations levelled against petitioner as well as Monu is that they assisted her in eloping with the victim. It is further stated that the victim in her court-statement has turned hostile and does not support the

prosecution story. She clearly refuses that any such incident had ever happened. She states that she never ran away with any person nor any such incident had ever happened. It is further stated that the main accused Anil as well as Monu have already been enlarged on bail by this Court on 21.07.2026 and 19.05.2026 and case of present petitioner is on better pedestal. Learned counsel, thus, submits that no useful purpose is going to be served by keeping the petitioner behind bar. The petitioner is in custody since 12.03.2026. The trial of case is likely to take a long time, therefore, benefit of bail may kindly be extended to the petitioner.

4. Per contra, learned Public Prosecutor do not dispute the factum of victim turning hostile.

5. Heard learned counsel for the parties and perused the material available on record. In the present case, main allegations levelled by the victim are against Anil of committing sexual assault. So far as petitioner is concerned, no such allegation has been levelled. Moreover, the victim has turned hostile in her court statement as she did not support the prosecution story and has denied of any such incident ever happened with her.

6. Keeping in view the fact that conclusion of trial of 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; but, without expressing any opinion on the merits of the case, I deem it just and proper to grant bail to the petitioner under Section 483 of BNSS.

7. Consequently, the bail application under Section 483 BNSS is allowed. It is ordered that the accused-petitioner **Shani S/o Rakesh** arrested in connection with F.I.R. No.18/2026 registered at Police Station Mahila Thana, (Nagaur), District Nagaur shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned trial court for his appearance before the trial court on each & every date of hearing and whenever called upon to do so till completion of the trial.

(BALJINDER SINGH SANDHU),J