

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 7485/2026

CNR: RJHC010565202026 | URN: CRLMB / 16443U / 2026

Hansraj S/o Bholu Ram, Aged About 41 Years, R/o Parasneu,
Rajaldesar, Dist. Churu, Raj.

(Presently Lodged At Sub Jail Churu)

-----Petitioner

Versus

State Of Rajasthan, Through P.P.

-----Respondent

For Petitioner(s)	:	Mr. Nitin Soni Mr. Nikhil Soni
For Respondent(s)	:	Mr. Narendra Gehlot, PP assisted by Mr. Omprakash Choudhary

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

17/07/2026

- The present bail application under Section 483 of BNSS is filed by the applicant-accused **Hansraj S/o Bholu Ram** seeking bail in respect of a criminal case registered as FIR No.178/2025 dated 05.12.2025 registered at Police Station Rajaldesar, District Churu, for the offence under Section 103(1) and 238(a) of BNS, 2023.
- 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-accused submits that after missing of the mother of complainant, an MPR was registered on 11.11.2025 informing the police about missing of his mother 'Birju Devi W/o Punaram' from 07.11.2025. He also submits that on basis of recovery of dead body, a report was lodged on 04.12.2025 which was registered on 05.12.2025. He also submits that in the entire report, the name of applicant was implicated only on the ground of suspicion. He submits that except the suspicion, there is nothing against the applicant. He also submits that only on suspicion, present applicant was arrested on 02.03.2026 and since then, he is in custody. He also submits that police has filed a charge-sheet against present applicant and Champa Devi and Champa Devi was already granted bail.
4. Learned Public Prosecutor has vehemently opposed the bail application and submitted that the allegations are grave and serious in nature.
5. Heard learned counsel for the applicant-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. On basis of report dated 05.12.2025 about alleged murder of mother of complainant on and after 07.11.2025, but before 04.12.2025 by present applicant and his wife Champa Devi, as present applicant is having an affair with mother of complainant, FIR No.178/2026 under Sections 103(1) and 238(a) of BNS, 2023 was registered at Police Station

Rajaldesar, District Churu. During investigation, present applicant was arrested on 02.03.2026 and after investigation, police has filed a charge-sheet against applicant-accused under Sections 103(1), 238(a), 64(1), 64(2)(m) and 66 of BNS, 2023 and against Champa Devi only under Section 238(a) of BNS, 2023.

7. The material forwarded by police clearly indicate that Champa Devi has been charged for deliberately concealing, destroying and tampering with evidence to protect present applicant, thus, the charge against Champa Devi is clearly distinguishable from present applicant. In the instant case, the entire allegation is upon present applicant and applicant is main accused.
8. We have considered the statement recorded by the police and also considered the postmortem report of Birju Devi who was a 42 year old female. The body of deceased was recovered in decomposed position, but still the postmortem was undertaken. The FSL report is also placed on record and it indicate that nothing was found against the applicant. The statement of complainant and other witness as recorded by police suggests that deceased was having an affair with present applicant. The material on record indicate involvement of present applicant, therefore, without recording statement of material witnesses, it is not appropriate to consider bail application of present applicant.
9. Considering the gravity of allegations and overall facts and circumstances of the case, it is appropriate to dismiss the bail application of the applicant accused at this stage.

10. Accordingly, the application for bail filed under Section 483 of BNSS preferred by **Hansraj S/o Bholu Ram** is hereby dismissed.

(ASHOK KUMAR JAIN),J

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