

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

S.B. Criminal Miscellaneous Bail Application No. 8096/2026

Shiv Lal Bhambhu S/o Bhera Ram, Aged About 27 Years,
Resident Of Gopalsar, Police Station Seruna District Bikaner. (At
Present Lodged In Central Jail, Bikaner.)

-----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Banya Devi D/o Kana Ram, Resident Of Near Mataji
Mandir, Tilak Nagar, P.S. J.n.v.c., Bikaner.

-----Respondents

Connected With

S.B. Criminal Miscellaneous Bail Application No. 7472/2026

1. Irfan S/o Mustak Ali, Aged About 28 Years, R/o Subhash
Petrol Pump Behind Tilak Nagar Police Station Jnvc
Bikaner Raj. (At Present Lodged In Central Jail Bikaner)
2. Shahid S/o Safi Mohammad, Aged About 33 Years, R/o
Village Bai Tehsil Taranagar Police Station Taranagar
District Churu Raj. (At Present Lodged In Central Jail
Bikaner)

-----Petitioners

Versus

1. State Of Rajasthan, Through PP
2. Mrs. Bayana Devi W/o Kanaram, R/o Tilak Nagar Near
Mataji Temple Police Station Jnvc District Bikaner

-----Respondents

For Petitioner(s)	:	Mr. Sunil Vishnoi Mr. Vikas K Bishnoi
For Respondent(s)	:	Mr. Narendra Kumar Gehlot, PP with Mr. Om Prakash Choudhary Mr. VK Bhadu for complainant

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN
Order

01/07/2026

1. These bail applications under Section 483 of BNSS are filed
by the applicants-accused **Shiv Lal Bhambhu S/o Bhera
Ram, Irfan S/o Mustak Ali** and **Shahid S/o Safi
Mohammad** seeking bail in respect of a criminal case
registered as FIR No.122/2026 dated 05.04.2026 registered
at P.S. Jainarayan Vyas Colony, District-Bikaner, for the
offence under Section 137 (2) of BNS, 2023.

2. Learned counsel for the applicants submits that the applicants have been falsely implicated in the matter and the investigation against them is complete and they are no more required in investigation. They further submits that there are no chance of fleeing of applicants accused from the jurisdiction of this Hon'ble Court. The applicants do not have any criminal antecedents. They also submits that the applicants undertakes not to repeat offence and cooperate with investigation/trial, which will take time.
3. Learned counsel on behalf of Irfan and Shahid submits that complainant has submitted an affidavit in support of these applicants-accused as these applicants-accused were named due to misunderstanding. He also submitted that the allegation is upon Meghnath and not upon these applicants-accused. He also submitted that in the statement under Section 183 of BNSS victim has not named present applicants-accused for involvement.
4. Learned counsel appearing on behalf of Shivilal Bhambhu has submitted that present applicant was named only because he assisted the main accused- Meghnath in elopement of victim with him. He submitted that there is no direct allegation is against the applicant-accused and the material on record clearly indicate that victim has love affair with Meghnath and she voluntarily eloped with Meghnath to marry him.
5. Aforesaid contentions were opposed by learned counsel appearing on behalf of complainant and learned Public Prosecutor. Learned counsel on behalf of complainant has

submitted that victim is minor and applicants-accused are not entitled for bail.

6. Heard learned counsel for the parties and learned Public Prosecutor. Perused the material placed on record by both the parties.
7. On 05.04.2026 complainant (grandmother) of victim has lodged a report against Meghnath and unknown persons about enticement and elopement of her grand-daughter on 05.04.2026. On basis of report FIR No. 122 dated 05.04.2026 under Section 137 (2) of BNS was registered at Police Station Jainarayan Vyas Colony, District Bikaner. During investigation the police has recovered victim and recorded her statement under Section 180 and 183 of BNSS. These applicants-accused are arrested as they have assisted main accused- Meghnath in commission of crime with minor victim. After investigation police has already drawn a charge-sheet but same has not been submitted till date all three applicants-accused are in custody.
8. Complainant has filed an affidavit in support of Irfan and Shahid and she has no objection in case bail is granted to them. The allegations against all three applicants-accused is to assist the main accused- Meghnath who allegedly committed offence in the instant case.
9. Upon hearing the arguments and perusing the record, we have found that the applicants-accused are no more required in the investigation and they are in custody for quite some time. The further proceedings will take its own time, therefore, looking to entirety of facts and circumstances of

the case and without expressing any opinion on merits of the case, the Court deems it appropriate to grant bail to the applicants-accused.

10. Thus, the instant bail applications filed on behalf of applicants-accused **Shiv Lal Bhambhu S/o Bhera Ram, Irfan S/o Mustak Ali** and **Shahid S/o Safi Mohammad**, are hereby allowed and the applicants-accused are ordered to be released on bail with condition that each of the petitioner would furnish a personal bond of ₹50,000/- with two sureties of like amount to the satisfaction of the Trial Court with the following conditions:-

- (i) The applicants-accused shall not tamper with evidence or influence the witness in any manner.
- (ii) The applicants-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
- (iii) The applicants-accused shall attend the hearing of the Trial Court on the date fixed by the Trial court or as and when asked to appear before the Trial Court.
- (iv) In case of any violation of above conditions, the bail granted to the applicants-accused shall be liable to be canceled.

11. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J