

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 7641/2025

Kiran W/o Kacharu, Aged About 27 Years, Resident Of Nimbeda Kallan Police Station Jaitaran District Beawar (At Present Lodged At District Jail Pali)

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Smt. Surja Alias Sarju Devi W/o Pokar Ram, Resident Of Nimbeda Kallan Police Station Jaitaran District Beawar

-----Respondents

For Petitioner(s) : Mr. Akash Goyal

For Respondent(s) : Mr. Lalit Kishore Sen, PP
Mr. O.P. Choudhary

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

24/02/2026

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	519/2024
2.	Date of lodging FIR	13.11.2024
3.	Concerned Police Station	Jaitaran
4.	District	Beawar
5.	Offences alleged in the FIR	Sections 103(1), 238(a) and 3(5) of the BNS, 2023
6.	Offences added, if any	--

2. Learned counsel for the petitioner submits that the petitioner is in judicial custody since 15.11.2024. He further submits that

there was no recovery made from the present petitioner to connect her with the crime in question.

2.1 He further submits that the petitioner has been made accused with co-accused Raju @ Bhupendra for hatching conspiracy against the deceased, who was husband of the present petitioner. In the present case, during investigation, the recovery of mobile, blood-stained cloth and weapon which was used in commission of offence was made from co-accused Raju @ Bhupendra only. It is further submitted that there is neither any last-seen witness nor eye witness to the incident in question and the petitioner is made accused merely on circumstantial evidence. The petitioner has not been named in the FIR. There is no motive established which could connect the present petitioner with the crime in question. Therefore, the petitioner deserves to be enlarged on bail.

3. Per contra, learned Public Prosecutor and learned counsel appearing for complainant vehemently oppose the bail application and submit that allegation of crime is made against the present petitioner. After investigation, the Investigating Officer has concluded that the petitioner and co-accused Raju @ Bhupendra hatched conspiracy and place of incident is also residence of the petitioner. Thereafter for destroying the evidence, the body was taken away by the co-accused and was thrown at a pasture land. The evidence as available on record, more particularly, the CDR of the petitioner's mobile number indicates that there was illicit relationship between the petitioner and co-accused therefore, they had common motive to commit the crime in question. Further,

Smt. Suraj @ Surja Devi - mother of deceased, who has been examined as PW-1, Smt. Durga - sister of deceased and Prakash - brother of deceased have stated that deceased used to assault/harass the petitioner after consuming liquor which further indicates motive of the petitioner. Therefore, learned Public Prosecutor and learned counsel appearing for complainant prayed that 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 and considering the allegation against the present petitioner regarding hatching conspiracy; allegation of illicit relationship between the petitioner and co-accused so also call details between them which *prima facie* indicates that the involvement of petitioner in present case cannot be ruled out at this stage, this Court is not inclined to enlarge the petitioner on bail at this stage.

6. Accordingly, the bail application is dismissed.

(SUNIL BENIWAL),J