

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous 1st Bail Application No. 8540/2026
CNR: RJHC010577472026 | URN: CRLMB / 18510U / 2026

Kumari Basanti D/o Dharma Ram, Aged About 27 Years, R/o
Ramdevra, Police Station Ratan Nagar, District Churu, Rajasthan.
(At Present Lodged In Mahila Bandi Sudhar Garh Bikaner)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Om Prakash Kumawat
For Respondent(s)	:	Mr. Narendra Gehlot, PP assisted by Mr. Omprakash Choudhary

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN
Order

13/07/2026

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Kumari Basanti D/o Dharma Ram** seeking bail in respect of a criminal case registered as FIR No.189/2024 dated 05.06.2024 registered at P.S. Taranagar, District - Churu, for the offence under Sections 366 and 120-B of IPC.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter and the investigation against her is complete and she 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 submits that petitioner is a female and she is in custody since her arrest. He also submitted that after filing of charge-sheet six witnesses have

been examined but none of them have supported the case of prosecution. He also submitted that co-accused Maya W/o Ramniwas was granted bail by this Hon'ble Court on 06.11.2025 and case of present petitioner is not different than Maya. He also submitted that there is no evidence to show that present petitioner has hatched any conspiracy with others.

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 petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. On basis of a report dated 05.06.2024 lodged by Kanaram against Krishna Kumar @ Ramkishan, Danaram, Hitesh, Maya and one unknown girl about kidnapping of his elder sister on 01.06.2024 FIR No.189/2024 under Sections 366 and 120B of IPC was registered at Police Station Taranagar. The matter is investigated and during investigation it has come on record that there was a matrimonial dispute between deceased Kanchan and her husband Danaram @ Danchand and matrimonial cases were pending in different Courts. The accused Danaram @ Danchand want to marry present petitioner Basanti after divorcing his wife Kanchan but Kanchan was resisting divorce and due to this resistance there was a delay in fulfillment of promise by Danaram with present petitioner for marriage. Thereafter a plan is hatched to liquidate Kanchan and in pursuant to plan Kanchan was

called by Maya and further she was kidnapped and was killed. The police has found that present petitioner and Hitesh both have participated in the murder with Danaram and they were accompanied by Krishna Kumar @ Ramkishan. The police has arrested present petitioner on 09.06.2024 and after investigation has filed a charge-sheet against Krishna Kumar @ Ramkishan, Basanti, Danaram @ Danchand, Hitesh Prajapat under Sections 302, 364, 201, 143/34 of IPC and against Maya under Sections 302, 364, 201, 143, 120B/34 of IPC.

7. Co-accused Maya was granted bail by a Co-ordinate Bench of this Court on 06.11.2025 wherein it has been observed that:-

"Having considered the rival submissions, facts and circumstances of the case, this Court prima facie finds that the petitioner is in judicial custody since 09.06.2024; there is no direct evidence available on record indicating involvement of the petitioner in commission of the alleged crime; merely because the petitioner was last seen in the company of the deceased, it cannot be presumed that she conspired with the above name co-accused persons for committing abduction and murder of the deceased; the petitioner does not have any criminal antecedents; learned Public Prosecutor has not shown any apprehension of the petitioner influencing the material prosecution witnesses of the case or tampering with the evidence or fleeing away from justice, in case, she is enlarged on bail. Thus, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioner on bail."

8. Till date six witnesses have been examined and we have considered statement of PW-2 Kanaram, PW-3 Hanumanaram and other witnesses. The petitioner is a female but her name has been involved as one of the key accused in the entire incident therefore, considering the role and involvement of petitioner we have to decide the bail application. After taking note of role as mentioned in the charge-sheet, the case of present petitioner is different than the case of Maya thus, the principle of parity is not applicable in the instant case.
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 **Kumari Basanti D/o Dharma Ram** is hereby dismissed.
11. The trial Court is directed to expedite the trial and try to conclude as early as possible. The trial Court is also directed not to adjourn the case in mechanical and casual manner unless there are sufficient reason to justify the adjournment.
12. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J