

RAJASTHAN HIGH COURT

सत्यमेव जयते

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

S.B. Criminal Miscellaneous Bail Application No. 7874/2026
CNR: RJHC010578042026
URN: CRLMB / 17248U / 2026

Gopal Lal S/o Mishri Lal Jat, Aged About 32 Years, R/o Ranva Ka Kheda Haripyra Police Station Gulabpura, District Bhilwara, Rajasthan. (Presently Lodged In Dist. Jail Bhilwara)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. NK Gurjar
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP Mr. Ravindra Singh Bhati, AGA

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

16/07/2026

- Learned Public Prosecutor submits that service upon respondent No.2 is effected.
- Service report dated 03.07.2026 is taken on record.
- 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	96/2026
2.	Date of lodging FIR	16.05.2026
3.	Concerned Police Station	Shambhugarh
4.	District	Bhilwara
5.	Offences alleged in the FIR	Section 137(2) of BNS, 2023
6.	Offences added, if any	Section 127(4), 70(2) of BNS and Section 5(I)/6 of POCSO

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case and false allegations have been levelled against him. He submits that no offence as alleged in the FIR has been committed by the present petitioner and petitioner is not named in the FIR. He further submits that even in her statement recorded under Section 180 BNSS, victim has alleged allegation of sexual assault on co-accused Prabhu Lal and not on the petitioner. Subsequently, in the statement recorded under Section 183 BNSS she has alleged that she was not knowing the petitioner, however, in later part she stated that both petitioner and Prabhu Lal sexually assaulted her. The petitioner is in judicial custody since 03.06.2026 and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

5. Learned Public Prosecutor vehemently opposes this bail application however he is not in a position to refute the fact that in the investigation made so far, the Investigating Agency has not found any material to implicate the present petitioner for committing sexual assault upon the victim.

6. Heard learned counsel for the petitioner and learned Public Prosecutor and perused the material available on record.

7. Having considered the rival submissions, facts and circumstances of this case and after perusing the case diary so also considering the fact that the petitioner has not been named in the FIR; there is no allegation by the victim against the petitioner in her statement recorded under Section 180 BNSS; in the statement recorded under Section 183 BNSS she has stated she

does not know the present petitioner; investigation so far does not indicate any involvement of the present petitioner as far as commission of any sexual assault upon the victim is concerned and that the prosecution has not expressed any apprehension qua the petitioner fleeing away from justice, in case he is enlarged on bail, in the considered opinion of this Court, no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period as the trial will take sufficiently long time. Thus, without expressing any opinion on merits/demerits of the case, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

8. Accordingly, the bail application filed under Section 483 of BNSS is allowed. It is ordered that petitioner- **Gopal Lal S/o Mishri Lal Jat** shall be released on bail in connection with the aforesaid FIR; provided he executes personal bond in the sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- each to the satisfaction of learned trial Court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

9. It is however, made clear that findings recorded/observations made above are for limited purposes of adjudication of bail application. The trial court shall not get prejudiced by the same.

(SUNIL BENIWAL),J