

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous 1st Bail Application No. 8123/2026
CNR: RJHC010583362026
URN: CRLMB / 17635U / 2026

Prakash @ Vikas S/o Babulal, Aged About 25 Years, Village Ratanpura, Police Station Rajgarh, District Churu, Rajasthan. (Presently Lodged In District Jail Churu)

-----Petitioner

Versus

- 1. State Of Rajasthan, Through Pp
- 2. Kanchan D/o Ramniwas Dhanak, R/o Ghanghu, Churu Sadar, District Churu, Rajasthan.

-----Respondents

For Petitioner(s)	:	Ms. Anjali Kaushik
For Respondent(s)	:	Mr. Narendra Gehlot, PP assisted by Mr. Omprakash Choudhary Mr. Hardik Gautam

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

15/07/2026

- 1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Prakash @ Vikas S/o Babulal** seeking bail in respect of a criminal case registered as FIR No.24/2026 dated 07.03.2026 registered at P.S. Mahila Thana (Churu), District - Churu, for the offence under Sections 70(2), 137(2), 332(b) of BNS and Sections 5(G)/6 of POCSO Act.
- 2. 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. She further submits that there are no chance of fleeing of applicant accused from the jurisdiction of this Hon'ble Court. She also submits that the applicant undertakes not to repeat offence and cooperate with investigation/trial, which will take time.

3. Learned counsel for the applicant submits that the report is registered against Rajesh and Vikas but after police investigation police has found that Rajesh has not involved in the incident and police has filed a charge-sheet against present petitioner. She further referred statement of victim recorded under Section 180 of BNSS and submitted that victim was having Insta friendship with present petitioner and both were regularly chatting with each other. She also submitted that even from the statement under Section 183 the victim has only alleged about incident of night of 06.03.2026 and 07.03.2026. She also submitted that the date of birth of victim is 10.12.2009 and the statement of victim clearly indicate that her family members were aware about friendship with present petitioner. She further submitted that initially the victim was found positive on the basis of during pregnancy test (UPT) but a final report indicate that there was no pregnancy with the victim. She also submitted that a charge-sheet has already been filed and present petitioner is in custody since his arrest on 01.05.2026.
4. Aforesaid contentions were opposed by learned Public Prosecutor and learned counsel for the complainant. Learned counsel for the complainant has submitted that the report

has been registered without any delay and the FSL report and the medical confirms committal of rape by present petitioner. He also submitted that the age of victim is less than 18 years and still the statement of victim has not been recorded.

5. Heard learned counsel for the parties and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. On basis of a complaint dated 07.03.2026 lodged by a 16 years old victim about incident between 10:00 PM on 06.03.2026 and 3:00 AM of 07.03.2026 FIR No.24/2026 was registered at Police Station Mahila Thana (Churu), District Churu. The FIR was registered against two persons Rajesh and Vikas but after investigation police has found that Rajesh is not involved in the incident and filed a charge-sheet against the present petitioner. We have considered statement recorded under Section 180 and 183 of BNSS. The age of victim on date of incident is 16 to 18 years. We have also considered medical report as referred by the counsels during course of argument.
7. Upon hearing the arguments and perusing the record, we have found that the applicant-accused is no more required in the investigation and he is 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 applicant-accused.

8. Thus, the instant bail application filed on behalf of applicant-accused **Prakash @ Vikas S/o Babulal**, is hereby allowed and the applicant-accused is ordered to be released on bail upon furnishing 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 applicant-accused shall not tamper with evidence or influence the witness in any manner.
- (ii) The applicant-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
- (iii) The applicant-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 applicant-accused shall be liable to be canceled.

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

(ASHOK KUMAR JAIN),J