

RAJASTHAN HIGH COURT

सत्यमेव जयते

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

S.B. Criminal Miscellaneous Bail Application No. 7990/2026
CNR: RJHC010586592026 | URN: CRLMB / 17410U / 2026

1. Sarifdin S/o Babu Khan, Aged About 27 Years, Resident Of Merta Road, Police Station Merta Road, District Nagaur Presently Lodged In Sub Jail, Merta
2. Noor Nabi @ Noora S/o Babu Khan, Aged About 19 Years, Resident Of Merta Road, Police Station Merta Road, District Nagaur Presently Lodged In Sub Jail, Merta

-----Petitioners

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s) : Mr. Surendra Singh Choudhary

For Respondent(s) : Mr. Hathi Singh Jodha, PP
Mr. Ravindra Kumar Acharya

HON'BLE MR. JUSTICE SANDEEP SHAH

Order

04/08/2026

1. The applicants have filed the present bail application under Section 483 of BNSS being aggrieved against the order dated 04.06.2026 passed by the learned Special Judge, SC/ST Prevention of Atrocities Cases, Merta, in Bail Application No.104/2026, whereby the bail application filed by the accused-applicants under Section 483 of B.N.S.S. was rejected. The accused-applicants are behind the bars, pursuant to the F.I.R. No.28/2026 registered at Police Station Merta Road (Nagaur), District Nagaur, Rajasthan for the offences punishable under Sections 126(2), 115(2) and 3(5) of the BNS, 2023.

2. Learned counsel for the applicants submits that the case in hand was a case of sudden fight, wherein the injured sustained a single injury, which too was not on the head but on the ear. He further submits that though injury has been shown to be grievous in nature and dangerous to life, there was no repetition of the injury, and the charge-sheet has already been filed. He, therefore, implores this Court to allow the present Criminal Miscellaneous Bail Application.

3. *Per contra*, learned counsel for the complainant as well as the learned Public Prosecutor vehemently oppose the bail application. Learned counsel for the complainant submits that because of the injury in question, the injured has suffered facial palsy, and there are multiple injuries. He refers to the medical report in this regard, wherein the opinion given qua the injury has been shown to be grievous and dangerous to life. They, therefore, pray for dismissal of the bail application.

4. Heard learned counsel for the applicants, learned Public Prosecutor as well as learned counsel for the complainant and perused the material available on record.

5. Having considered the arguments advanced by both sides and having regard to the facts and circumstances of the case, including the fact that the incident occurred in the spur of the moment and that only a single injury has been inflicted upon the injured by the applicants, which too was caused by a blunt weapon and not by a sharp weapon, the charge-sheet has already been filed, this Court prima facie finds it to be a fit case to enlarge the accused-applicants on bail.

6. Thus, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the accused-applicants on bail.

7. Consequently, the bail application under Section 483 B.N.S.S. is **allowed**. It is ordered that the accused-applicants; **(1) Sarifdin S/o Babu Khan & (2) Noor Nabi @ Noora S/o Babu Khan** arrested in connection with F.I.R. No.28/2026 registered at Police Station Merta Road (Nagaur), District Nagaur, Rajasthan, shall be released on bail, if not wanted in any other case, provided each of them furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned Trial Court, for their appearance before that Court on each & every date of hearing and whenever called upon to do so till completion of the trial.

8. It is further, made clear that findings recorded/observations made herein-above are for limited purposes of adjudication of bail application and the same shall not prejudice the trial of the case in any manner.

(SANDEEP SHAH),J