

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

S.B. Criminal Appeal (Sb) No. 1090/2026
CNR: RJHC010592312026
URN: CRLAS / 2486U / 2026

Kamal Singh S/o Pratap Singh, Aged About 21 Years, R/o Krishanpuri Sirohi, Police Station Kotwali Sirohi, District Sirohi (Raj). (At Present Lodged In District Jail Sirohi)

----Appellant

Versus

- 1. State Of Rajasthan, Through P P
- 2. Manav Kumar S/o Chetan Das, R/o Rahwas Dakshin Meghwal Bas, Sirohi, District Sirohi.

----Respondents

For Appellant(s)	:	Mr. Harshwardhan Singh Mr. Jitendra Singh
For Respondent(s)	:	Mr. Ujra Ram Kalbi, PP Mr. Ravindra Singh Bhati, AGA

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

16/07/2026

1. The jurisdiction of this Court has been invoked by way of filing an appeal under Section 14-A(2) of SC/ST (Prevention of Atrocities) Act, 1989, at the instance of accused-appellant. The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	85/2026
2.	Concerned Police Station	Sirohi
3.	District	Sirohi
4.	Offences alleged in the FIR	Section 115(2), 140(3), 127(2) of BNS and Section 3(1)(r)(s), 3(2)(v)(va) of

		S.C/ST Act
5.	Offences added, if any	Section 126(2) of BNS and Section 3(2)(v) of SC/ST Act
6.	Date of passing of impugned order	12.06.2026

2. Learned counsel for the appellant submits that no case for the alleged offences is made out against the appellant and his incarceration is not warranted. There are no factors at play in the case at hand that may work against grant of bail to the accused-appellant and he has been made an accused based on conjectures and surmises.
- 2.1 He further submits that appellant is in judicial custody since 04.06.2026. It is stated that appellant has been falsely been implicated in the present case. Though allegation of assault has been made however, there is nothing on record to indicate that appellant has brutally beaten the complainant. He further submits that though offence under SC/ST (Prevention of Atrocities) Act has been alleged however, a plain reading of FIR itself indicates that incident is stated to have occurred in the agricultural field and not at a public place.
- 2.2 Based on these submissions, it is argued that the appellant, who is presently in judicial custody, is entitled to be enlarged on bail as the trial will take sufficiently long time to conclude.
3. Contrary to the submissions of learned counsel for the appellant, learned Public Prosecutor opposes the appeal

however, he is not in a position to refute the fact that there is no evidence qua appellant inflicting injury sustained by the complainant.

4. Heard learned counsel for the appellant and learned Public Prosecutor and perused the material available on record.
5. Considering the submissions made by learned counsel for both the parties; the facts and circumstances of the case; the case diary and the fact that alleged incident has not occurred at public place so as to attract offence under SC/ST (Prevention of Atrocities) Act; and there is no material available in the case diary to indicate any injury being caused by the appellant this Court is of the considered view that no fruitful purpose would be served by keeping the appellant behind bars for an indefinite period. Thus, without expressing any opinion on merits/demerits of the case, this Court is of the opinion that the appeal filed by the appellant deserves to be allowed.
6. Consequently, the instant appeal is allowed. The impugned order dated 12.06.2026 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Act Cases, Sirohi is set aside. It is ordered that the accused-appellant- **Kamal Singh S/o Pratap Singh** arrested in connection with aforesaid FIR, shall be released on bail, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs. 25,000/- each to the satisfaction of the learned trial Court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.

7. 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