

RAJASTHAN HIGH COURT

सत्यमेव जयते

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

S.B. Criminal Miscellaneous Bail Application No. 8487/2026
CNR: RJHC010607322026 | URN: CRLMB / 18418U / 2026

Kanhaiya Lal S/o Shri Modi Ram, Aged About 40 Years, Resident
Of Gomana, P.s. Chhoti Sadri, District-Pratapgarh Rajasthan.
(Presently Lodged In District Jail Pratapgarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Shambhoo Singh with Mr. Harshvardhan Singh
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP Mr. Shiv Singh for complainant

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

03/08/2026

1. 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	315/2024
2.	Date of lodging FIR	04.12.2024
3.	Concerned Police Station	Choti Sadri
4.	District	Pratapgarh
5.	Offences alleged in the FIR	Sections 235, 243, 318(4), 324(4) and 324(5) of BNS.
6.	Offences added, if any	Sections 338, 336(3) and 340(2) of BNS.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case and false allegations have

been levelled against him. The offences alleged against the present petitioner are triable by Magistrate. The allegation against the present petitioner is with regard to preparation of patta suing forged signatures of Sarpanch and the Secretary. The dispute is already pending before the civil court. The trial is yet to commence and it is yet to be established in the trial as to whether the signatures as alleged in the present FIR have been appended by the petitioner or not. The petitioner is in judicial custody since 09.06.2026 and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

3. Learned Public Prosecutor so also learned counsel for the complainant vehemently oppose this bail application.

3.1 Learned counsel for the complainant submits that it is stated in the FSL report that the signatures are forged.

4. Heard learned counsel for the parties and perused the material available on record.

5. Having considered the rival submissions, facts and circumstances of this case and after perusing the case diary so also considering the facts that the offences alleged against the present petitioner are triable by Magistrate; the petitioner is in judicial custody since 09.06.2026; it is yet to be ascertained and determined in the trial as to whether the signatures as alleged in the present FIR have been appended by the petitioner or not; 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.

6. Accordingly, the bail application filed under Section 483 of BNSS is allowed. It is ordered that petitioner- **Kanhaiya Lal S/o Shri Modi Ram**, 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.

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