

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Appeal (Sb) No. 1185/2026
CNR: RJHC010609742026 | URN: CRLAS / 2718U / 2026

Bittu Singh S/o Shri Sarjeet Singh, Aged About 30 Years,
Resident Of Chak 02 P.g.m.-B, Police Station Anupgarh, District
Sri Ganganagar Rajasthan (The Appellant Has Been In
Continuous Judicial Custody Since 30-06-2025 And Is Presently
Confined At The Central Jail, Sri Ganganagar)

-----Appellant

Versus

- State Of Rajasthan, Through The Public Prosecutor, High
Court Of Judicature For Rajasthan At Jodhpur.
- Sultan S/o Shri Hariram, Resident Of Chak 02 P.g.m.(B),
Police Station Anupgarh, District Sri Ganganagar
Rajasthan

-----Respondents

For Appellant(s)	:	Mr. Koshlendra Vallabh Vyas
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP Mr. Vijay Gaur Mr. Pradhyumn Singh

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

05/08/2026

- 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	375/2025 dated 30.06.2025
2.	Concerned Police Station	Anupgarh

3.	District	Ganganagar
4.	Offences alleged in the FIR	Sections 115(2), 331(6), 103(1), 109(1), 191(2)(3) and 190 of BNS, 2023 and Section 3(2)(v)(va) of SC/ST Act, 1989
5.	Offences added, if any	Section 61(2) of BNS, 2023
6.	Date of passing of impugned order	20.06.2026

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 the appellant is in judicial custody since 30.06.2025. At the outset, he submits that co-accused Prem Kumar has already been enlarged on bail by a Co-ordinate Bench of this Court vide order dated 16.06.2026 passed in S.B. Criminal Misc. Bail Application No. 7553/2026. During the trial, statement of injured witnesses namely Sultan (PW-3), Papli (PW-2) and Maya (PW-5) were recorded. All the three witnesses have levelled omnibus allegations against the present appellant as well as co-accused Prem Kumar. While referring to such statements, he submits that the role assigned to co-accused Prem Kumar is not distinguishable viz-a-viz role assigned to the present appellant.

- 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 and counsel appearing for complainant vehemently oppose the appeal and submits that the present case is not fit for enlargement of accused on bail.
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 challan papers; the fact that the role assigned by three injured eye witnesses to the present appellant is not distinguishable viz-a-viz role assigned to co-accused Prem Kumar and co-accused Prem Kumar has already been enlarged on bail, 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 20.06.2026 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Sri Ganganagar is set aside. It is ordered that the accused-

appellant- **Bittu Singh S/o Shri Sarjeet 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