

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 8669/2026
CNR: RJHC010612872026 | URN: CRLMB / 18783U / 2026

Vijay Kayath Alias Ajay S/o Vishwjeet, Aged About 27 Years, R/o Ward No. 44 Mukherjee Colony Hanumangarh Town, Tehsil And District Hanumangarh. (Presently Lodged In District Jail Hanumangarh)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Ms. Anjali Kaushik for Mr. Shri Kant Verma
For Respondent(s)	:	Mr. Narendra Gehlot, PP with Mr. Om Prakash Choudhary

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

28/07/2026

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Vijay Kayath Alias Ajay S/o Vishwjeet** seeking bail in respect of a criminal case registered as FIR No.50/2025 dated 21.01.2025 registered at P.S. Hanumangarh Town, District - Hanumangarh, for the offence under Sections 115(2), 126(2) and 189(2) of BNS, 2023.
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. He further submits that there are no chance of fleeing of applicant accused from the

jurisdiction of this Hon'ble Court. He also submits that the applicant undertakes not to repeat offence and cooperate with investigation/trial, which will take time.

3. Learned counsel for petitioner submits that statement of injured were recorded as PW-2 and during cross-examination, he denied involvement of present petitioner in the incident. She further submitted that persons identified in the incident, were clearly mentioned by injured, but he has not named present petitioner, as the persons involved in the incident. She also submitted that petitioner is in custody since his arrest on 05.02.2025.
4. Learned Public Prosecutor has vehemently opposed the bail application and submitted that the in Examination-in-Chief, PW-2 has named the present petitioner as the main accused and the recovery has been effected from him.
5. Heard learned counsel for the petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. This Court has considered bail application of Vikram @ Vicky S/o Shri Gulab Rai and Vijay Kumar S/o Shri Gulab Rai on 27.05.2026 and while allowing the bail application, we have observed as under:-

6. On 21.01.2025, complainant-Jeba lodged a report against Ram Babu, Prakash, Ajay, Sagar, Girdhari and 8-10 other persons for assaulting his son Kudrat Ali. The eyewitness was named as Jumma, (brother-in-law of complainant). After registration of FIR, the statement of

complainant and Jumma were recorded under Section 180 of BNSS. The names of these petitioners first time came in the police statement on 29.04.2025 when statement of Niyamat son of Bakku Khan, (younger brother of deceased), was recorded by police. In his statement, Niyamat stated that he was having a love affair with Shalu, (close relative of mother of both the petitioners). The police has not recovered any article from Vikram, but recovered one stick (lathi) from Vijay. Both the petitioners were neither named in FIR nor in the statements of complainant and eyewitness. On the basis of statement of Niyamat, their involvement was found by police. Petitioners-accused Vijay and Vikram were arrested on 08.02.2025.

7. The statement of injured were recorded by Trial Court as PW-2 and we have considered the cross-examination of PW-2 Jumma Khan as referred by learned counsel for petitioner. In cross-examination, PW-2 denied involvement of present petitioner in the incident.
8. 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.

9. Thus, the instant bail application filed on behalf of applicant-accused **Vijay Kayath Alias Ajay S/o Vishwjeet**, 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.
10. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J