

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 8581/2026
CNR: RJHC010613972026
URN: CRLMB / 18597U / 2026

Member Alias Memer Banjara S/o Sanwla Banjara Alias Sabla Banjara, Aged About 23 Years, R/o Banjara Ka Bas, Palra, Police Station Gangapur, District Bhiwara, Rajasthan. (Presently Lodged In Dist. Jail Bhilwara)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. S.K. Bhati Mr. Prakash Banjara
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP Mr. Ravindra Singh Bhati, AGA

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

15/07/2026

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	109/2026
2.	Date of lodging FIR	05.05.2026
3.	Concerned Police Station	Gangapur
4.	District	Bhilwara
5.	Offences alleged in the FIR	Sections 189(2), 121(1), 132, 221 and 265 of the BNS, 2023
6.	Offences added, if any	--

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. He further submits that the offences alleged against the petitioner are triable by the Magistrate.

2.1 In the present case, the petitioner is not alleged to have been involved in any fight or to have caused any injury to the police officials. Further, injuries sustained by the injured are simple in nature. He also submits that the learned trial Court, vide its order dated 19.06.2026, noted that one case under the NDPS Act is pending against the petitioner, however, the said case pertains to the year 1997. The petitioner is in judicial custody since 01.06.2026 and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

3. Learned Public Prosecutor vehemently opposes this bail application, however, he is not in a position to refute the fact that the offences are triable by the Magistrate.

4. Heard learned counsel for the petitioner and learned Public Prosecutor 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 fact that there is no allegation against the present petitioner of causing any injury to the police officials; the injuries sustained by the police officials are simple in nature; the offences are triable by the Magistrate; the petitioner is in judicial custody since 01.06.2026 and that the prosecution has not expressed any apprehension that the petitioner is enlarged on bail, would flee 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- **Govind S/o Sharwan Ninama** 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