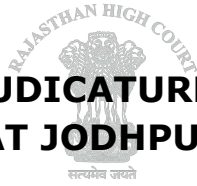


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



D.B. Criminal Miscellaneous Application No. 462/2026

CNR: RJHC010625302026

URN: CRLMA / 772U / 2026

In

D.B. Criminal Misc. Suspension of Sentence Application (Appeal)
No.1174/2025

Ajay @ Bhagat S/o Mulchand @ Moti Chand, Aged About 34
Years, Resident Of Kadmahiya, P.s. Valmiki Nagar, District Bagha,
Revenue District West Champaran, Headquarters Betiya (Bihar)
Lodged In Spl. Central Jail Shyalawas, Dausa, Raj.

-----Applicant

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Ms. Heli Pathak.

For Respondent(s) : Mr. Shrawan Singh Rathore, PP.

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE SANJEET PUROHIT**

Order

20/07/2026

1. The present misc. application under Section 528 of Bhartiya
Nagarik Suraksha Sanhita (BNSS), 2023 has been preferred by
the applicant seeking modification of the order dated 26.11.2025
passed by this Court in D.B. Criminal Misc. Suspension of
Sentence Application (Appeal) No.1174/2025, and praying for his
release on bail by waiving the condition of furnishing two sureties
of Rs.25,000/- each.

2. Learned counsel for the applicant submits that while
suspending the sentence of the applicant vide order dated

26.11.2025, this Court had directed the release of the applicant on bail subject to his furnishing a personal bond in the sum of Rs.50,000/- along with two sureties of Rs.25,000/- each, to the satisfaction of the learned Trial Court. It is further submitted that the applicant belongs to the lower strata of society and is unable to arrange two sureties of the requisite amount. Owing to such financial hardship, the applicant continues to be deprived of the benefit of suspension of sentence and consequent release on bail despite the order passed by this Court in his favour.

3. The report dated 18.07.2026 has been submitted by learned Public Prosecutor pertaining to socio-economic condition of the applicant which shows that the applicant has left his village when he was aged only nine years. The report further indicates that the house in village has been constructed with bricks and clay of roof tiles. The said report is taken on record.

4. Having considered the submissions advanced by learned counsel for the applicant as well as the report submitted by learned Public Prosecutor and taking into account the socio-economic condition of the applicant, this Court is of the opinion that the condition of furnishing two sureties deserves to be relaxed in the interest of justice.

5. Accordingly, the present misc. application is allowed. The sentence of the applicant – **Ajay @ Bhagat S/o Mulchand @ Moti Chand** shall remain suspended till the final disposal of the appeal. The applicant shall be released on bail forthwith, provided he furnishes a personal bond in the sum of Rs.50,000/- to the satisfaction of the learned Trial Court. The condition of furnishing two sureties of Rs.25,000/- each stands waived. All other conditions imposed by this Court in the order dated 26.11.2025



shall remain unchanged and shall be complied with by the applicant in future.

(SANJEET PUROHIT),J

(DR.PUSHPENDRA SINGH BHATI),J

1/Taruna