



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



S.B. Criminal Miscellaneous Bail Application No. 9048/2026
CNR: RJHC010643632026 | URN: CRLMB / 19615U / 2026

Ashok Godara Alias Achla Ram S/o Kumbha Ram, Aged About 20
Years, R/o Godaro Ka Bera Meeno Ki Dhani, Police Station Osian
District Jodhpur Raj. (At Present Lodged In Central Jail Jodhpur)

-----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Puna Ram S/o Anopa Ram, R/o Bana Ka Bas, Tehsil
Tinwari, District Jodhpur Raj.

-----Respondents

For Petitioner(s)	:	Mr. Shravan Kumar
For Respondent(s)	:	Mr. Surendra Bishnoi, PP

HON'BLE MR. JUSTICE SANDEEP SHAH

Order

04/08/2026

1. The applicant has filed the present bail application under Section 483 of BNSS being aggrieved against the order dated 03.07.2026 passed by the learned Special Judge, POCSO Act, 2012 and Commission for Protection of Child Right Act, 2005, Jodhpur, in Criminal Misc. Case No.78/2026, whereby the bail application filed by the accused-applicant under Section 483 B.N.S.S. was rejected. The accused-applicant is behind the bars, pursuant to the F.I.R. No.185/2026 registered at Police Station Osian, District Jodhpur Rural for the offences punishable under Section 308(2) of BNS, Sections 11 and 12 of POCSO and Section 67a of IT Act.



2. Learned Public Prosecutor submits that the information regarding filing of the present bail application has already been served upon the parents/guardians of the victim/child. He tenders a copy of the service report, which is taken on record.

3. Learned counsel for the applicant submits that the age of the prosecutrix has been shown to be 17 years and 11 months. He submits that there is no allegation of any forceful sexual assault having been committed by the accused-applicant and also the incident is about one year old, while the FIR has been lodged after a gross delay. He also submits that the only allegation against the accused-applicant is that he demanded nude photographs and videos of the victim, and the victim at her own volition, sent the same, which were thereafter circulated by the accused-applicant to her husband. He further submits that the necessary ingredients of the offences in question are not made out. He further submits that the accused-applicant is in judicial custody since 21.06.2026 and that the trial is likely to take sufficiently long time to conclude. He, therefore, implores this Court to allow the present Criminal Miscellaneous Bail Application.

4. *Per contra*, learned Public Prosecutor opposes the bail application and submits that in her statement recorded under Section 183 of the BNSS, the prosecutrix has stated that she had sent the nude photographs and videos under pressure created by the accused-applicant, and thereafter the accused-applicant threatened her with dire consequences, in case she failed to pay the amount demanded by him. He, therefore, prays for dismissal of the bail application.



5. Heard learned counsel for the applicant and learned Public Prosecutor and perused the material available on record.

6. I have considered the arguments advanced by learned counsel for the parties and have considered the facts and circumstances of the case. The fact that the age of the prosecutrix has been shown to be 17 years and 11 months and she is a married girl, that there is a gross delay in lodging the FIR, *prima facie* throw a shadow of doubt about the version of the prosecution. Further there is no allegation of any forceful sexual assault upon him, and the allegations are confined to the accused-applicant having demanded nude photographs and videos, which were sent by the prosecutrix. Though there are allegation of demanding certain money accompanied by threats, however nothing has been brought on record to substantiate any financial transaction. As also considering that the accused-applicant is of tender age of 19 years and the case in hand, at the maximum, would amount to sexual harassment under Sections 11 and 12 of the POCSO Act, 2012, the accused-applicant is in judicial custody since 21.06.2026 and the trial is likely to take sufficiently long time to conclude, this Court *prima facie* finds it a fit case to enlarge the accused-applicant on bail application.

7. Thus, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the accused-applicant on bail.

8. Consequently, the bail application under Section 483 B.N.S.S. is **allowed**. It is ordered that the accused-applicant; ***Ashok Godara Alias Achla Ram S/o Kumbha Ram***, arrested in connection with F.I.R. No.185/2026 registered at Police Station



Osian, District Jodhpur Rural, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned Trial Court, for his appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

9. It is further, made clear that findings recorded/observations made herein-above are for limited purposes of adjudication of bail application and the same shall not prejudice the trial of the case in any manner.

(SANDEEP SHAH),J