

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

S.B. Criminal Miscellaneous Bail Application No. 9242/2026
CNR: RJHC010657172026
URN: CRLMB / 20102U / 2026

1. Smt. Shayama W/o Vinod, Aged About 48 Years, Dobada, Thana Narayangarh, District Mandisor M.P. (At Present Lodged In District Jail Udaipur)
2. Ramchandra S/o Prithviraj, Aged About 52 Years, R/o Pawti, Thana Kukdeshwar, District Nimach M.P. (At Present Lodged In District Jail Udaipur)
3. Rohit S/o Vinod, Aged About 20 Years, Dobada, Thana Narayangarh, District Mandisor M.P. (At Present Lodged In District Jail Udaipur)
4. Babulal S/o Bherulal, Aged About 31 Years, Dobada, Thana Narayangarh, District Mandisor M.P. (At Present Lodged In District Jail Udaipur)
5. Lakhan S/o Ramchandra, Aged About 24 Years, Pawti, Thana Kukdeshwar, District Nimach M.P. (At Present Lodged In District Jail Udaipur)
6. Samrath S/o Gangaram, Aged About 35 Years, Dobada, Thana Narayangarh, District Mandisor M.P. (At Present Lodged In District Jail Udaipur)
7. Dinesh S/o Bherulal, Aged About 30 Years, Dhakani, Thana Manasa, District Nimach M.P. (At Present Lodged In District Jail Udaipur)
8. Govind S/o Babulal, Aged About 26 Years, Panmodi, Thana Rathajana, District Prapatgarh Raj. (At Present Lodged In District Jail Udaipur)
9. Bherulal S/o Rodilal, Aged About 34 Years, Pawti, Thana Kukdeshwar, District Nimach M.P. (At Present Lodged In District Jail Udaipur)

----Petitioners

Versus

State Of Rajasthan, Through Public Prosecutor

----Respondent

For Petitioner(s)	:	Mr. Arpit Bhoot
For Respondent(s)	:	Mr. Lalit Kishore Sen, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

17/07/2026

1. This application for bail has been filed by the petitioners 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	188/2026
2.	Date of lodging FIR	17.06.2026
3.	Concerned Police Station	Banswara
4.	District	Banswara
5.	Offences alleged in the FIR	Sections 140(3) and 61(2) of the BNS
6.	Offences added, if any	Sections 140(2), 115(2), 3(5) of the BNS and Section 4/25 of the Arms Act

2. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case and false allegations have been levelled against them. He contends that no such incident, as alleged by the prosecution, ever took place and the petitioners had no involvement in the alleged offence. Learned counsel further submits that as per the prosecution case itself, the alleged incident of kidnapping occurred on 16.06.2026 at about 8:15 p.m., whereas the FIR came to be lodged only on 17.06.2026 at about 11:46 a.m., thereby creating doubt regarding the prosecution version. He further submits that the arrest memos reveal that the petitioners were arrested from the police station itself, which renders the prosecution story and the version of the complainant highly doubtful.

2.1 Learned counsel also submits that no injury was noted by Investigating Officer during investigation, therefore, allegation of causing assault is false. The petitioners are in judicial custody since 17.06.2026 and the trial will take sufficiently long time, therefore, they deserve to be enlarged on bail.

3. Learned Public Prosecutor vehemently opposes this bail application.

4. Heard learned counsel for the petitioners 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 charge-sheet so also considering the fact that the sequence even indicates that the alleged incident of kidnapping is stated to have occurred on 16.06.2026 at about 8:15 p.m., whereas the FIR was lodged on 17.06.2026 at about 11:46 a.m.; the arrest memos indicate that the petitioners were arrested from the police station itself, which, at this stage, makes the story and the version of the complainant highly doubtful; no injury was reported by Tarun, who is stated to have been abducted and that the petitioners are in judicial custody since 17.06.2026 and that the prosecution has not expressed any apprehension qua the petitioner fleeing away from justice, in case they are enlarged on bail, in the considered opinion of this Court, no fruitful purpose would be served by keeping the petitioners 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 petitioners deserves to be accepted.

6. Accordingly, the bail application filed under Section 483 of BNSS is allowed. It is ordered that petitioners- **1. Smt. Shayama W/o Vinod, 2. Ramchandra S/o Prithviraj, 3. Rohit S/o Vinod, 4. Babulal S/o Bherulal, 5. Lakhana S/o Ramchandra, 6. Samrath S/o Gangaram, 7. Dinesh S/o Bherulal,**

8. Govind S/o Babulal and 9. Bherulal S/o Rodilal shall be released on bail in connection with the aforesaid FIR; provided they execute personal bond in the sum of Rs.50,000/- each with two sound and solvent sureties of Rs.25,000/- each to the satisfaction of learned trial Court for their 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