

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 9320/2026
CNR: RJHC010657442026
URN: CRLMB / 20245U / 2026

Achala Ram Alias Ashok S/o Mangla Ram, Aged About 31 Years,
R/o Puniyo Ki Beri, Pareau P.s. Gida District Balotra. (Presently
Lodged In Sub Jail Balotra)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Dinesh
For Respondent(s)	:	Mr. Vikram Rajpurohit, PP Mr. Doulat Ram

HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

16/07/2026

Heard learned counsel for the parties and perused the material available on record.

The petitioner has been arrested in connection with FIR No.33/2026 registered at Police Station Gida, District Balotra for the offences punishable under Sections 115(2), 126(2), 351(2), 332(b), 64(1) and 309(4) of the Bharatiya Nyaya Sanhita, 2023. The present is the second bail application preferred by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Learned counsel for the petitioner submits that while rejecting the first bail application, liberty was granted to the petitioner to file a fresh bail application after filing of the charge-

sheet. It is submitted that the investigation has since been completed, the charge-sheet has already been filed.

Learned counsel further submits that both the petitioner and the prosecutrix are married and are neighbours. It is contended that there existed a dispute between the parties regarding a monetary transaction and, being aggrieved on account of the said dispute, the present FIR came to be registered. It is submitted that even the conclusion of the investigation makes reference to the dispute relating to the monetary transaction, thereby indicating the existence of such dispute between the parties. Learned counsel has further drawn the attention of this Court to the statement of the prosecutrix recorded under Section 183 of the BNSS, wherein she has admitted that the petitioner used to visit her house and that they used to exchange messages and speak over the phone, and number of the petitioner was subsequently blocked by husband of the prosecutrix. It is, therefore, contended that the material collected during investigation prima facie indicates that the parties were acquainted with each other and were in regular contact. It is further submitted that the petitioner has not been charge-sheeted for any offence under the Information Technology Act, and no electronic material has been recovered to substantiate such allegations. The petitioner has remained in judicial custody since 14.04.2026, and the conclusion of the trial is likely to take considerable time.

Per contra, learned Public Prosecutor as well as learned counsel appearing for the complainant have vehemently opposed the bail application.

This Court has given its thoughtful consideration to the rival submissions and has carefully perused the material available on record. At the stage of considering a bail application, this Court is not expected to conduct a detailed appreciation of the evidence or record any conclusive finding on the merits of the case. However, it is evident from the material collected during investigation that both the petitioner and the prosecutrix are major, married persons residing in the same neighbourhood and were admittedly acquainted with each other. The investigation itself refers to the existence of a monetary dispute between the parties. The statement of the prosecutrix recorded under Section 183 of the BNSS also indicates that the parties were in regular contact through personal visits, phone calls and exchange of messages. Further, the investigation stands concluded, the charge-sheet has been filed, and the petitioner has not been charge-sheeted for any offence under the Information Technology Act. The evidentiary value of the allegations and the defence put forth by the petitioner are matters to be examined by the learned trial Court during the course of trial. The petitioner has remained in judicial custody since 14.04.2026.

Having regard to the totality of the facts and circumstances of the case, particularly the completion of investigation, filing of the charge-sheet, the period of incarceration undergone by the

petitioner, the absence of any requirement for further custodial interrogation, and there being no material on record to indicate that the petitioner is likely to abscond or interfere with the course of justice if enlarged on bail, this Court is of the opinion that the petitioner has made out a case for grant of bail.

Hence, keeping in view of the fact that conclusion of the trial of the case is likely to take time and the prosecution has not shown any apprehension of the petitioner fleeing away from justice, in case he is enlarged on bail and without expressing any opinion on the merits of the case, this Court deems it just and proper to grant bail to the petitioner under Section 483 of BNSS.

Accordingly, this bail application filed under Section 483 of BNSS is **allowed** and it is directed that petitioner –**Achala Ram Alias Ashok S/o Mangla Ram** shall be released on bail in connection with **FIR No.33/2026 of Police Station Gidan, District Balotra**, if not wanted in any other case, provided he executes a 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.

(BALJINDER SINGH SANDHU),J