

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 9294/2026
CNR: RJHC010663642026
URN: CRLMB / 20199U / 2026

1.

Rajmal S/o Gopi Das Kamand, Aged About 34 Years,
Palna Kalan, Police Station Ghasa, District Udaipur,
Rajasthan At Present Lodged At District Jail Bhilwara.
2.

Ghansyam S/o Udailal Nayak, Aged About 28 Years,
Nimbaheda, Police Station Kotwali, District Chittorgarh
At Present Lodged At District Jail Bhilwara

-----Petitioners

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Ms. Heena Aman Siddiqui

For Respondent(s) : Mr. Urja Ram Kalbi, 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	31/2025
2.	Date of lodging FIR	11.02.2025
3.	Concerned Police Station	Hamirgarh
4.	District	Bhilwara
5.	Offences alleged in the FIR	Sections 331(4) and 305(d) of BNS.
6.	Offences added, if any	Section 317(2) of BNS.

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. Learned counsel further submits that the offences alleged against the present petitioners are triable by Magistrate. The stolen ornaments have already been recovered. The petitioners-Rajmal and Ghansyam are in judicial custody since 21.05.2026 and 14.05.2026 respectively, 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 and submits that looking at the past criminal antecedents, the petitioners are not entitled to be enlarged on bail.

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 case diary so also considering the facts that the offences alleged against the present petitioners are triable by Magistrate; the stolen ornaments have already been recovered; and that the prosecution has not expressed any apprehension qua the petitioners 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- **Rajmal S/o Gopi Das Kamand** and **Ghansyam S/o Udailal Nayak**, 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