

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 9308/2026
CNR: RJHC010668522026 | URN: CRLMB / 20223U / 2026

Mahaveer Das Swami S/o Harikishan Das Swami, Aged About 56
Years, Resident Of Ward No 13, Railway Station, Mohalla
Mahajan, Police Station Mahajan, District Bikaner. (Presently
Lodged In Central Jail Bikaner)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Pravin Vyas Mr. Harshvardhan Singh Rathore Mr.Rajiv Bishnoi
For Respondent(s)	:	Mr. Narendra Gehlot, PP with Mr. Om Prakash Choudhary Ms. Ujjawla Kachhawaha Mr. Barkat Khan

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

24/07/2026

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Mahaveer Das Swami S/o Harikishan Das Swami** seeking bail in respect of a criminal case registered as FIR No.79/2026 dated 19.06.2026 registered at P.S. Mahajan, District- Bikaner, for the offence under Sections 115(2), 126(2), 109(1), 329(3), 190, 191(2), 191(3) of BNS and Section 27 of Arms Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter and the investigation against him is complete and he is no more

required in investigation. He further submits that there are no chance of fleeing of applicant accused from the jurisdiction of this Hon'ble Court. He also submits that the applicant undertakes not to repeat offence and cooperate with investigation/trial, which will take time.

3. Learned counsel for the petitioner submits that complainant Alisher has lodged the report only on the basis of possession over agricultural land. He also submitted that the incident was a result of the demarcation process conducted by government officials, and the government officials have also registered a report against the same complainant. He further submitted that even the landholder has also registered a report against the same complainant. He further submitted that the present petitioner is in custody since his arrest and that none of the injured persons have suffered any injury which may be considered dangerous to life.
4. Learned Public Prosecutor and learned counsel for the complainant have vehemently opposed the bail application. Learned counsel for the complainant has referred to the newspaper article as well as photographs of the injured persons and submitted that they were brutally assaulted by a group of individuals, including the present petitioner.
5. Heard learned counsel for the petitioner-accused and learned Public Prosecutor. Perused the material placed on record by both the parties.
6. On the basis of a report dated 19.06.2026 filed by complainant Alisher against five named persons and others about alleged assault upon him and his family members,

resulting in injuries to several persons, FIR No. 79/2026 was registered at P.S. Mahajan, District Bikaner. During the investigation, the present petitioner was arrested on 20.06.2026. As per the report, two criminal cases were registered against the petitioner, and both have been disposed of. We have considered the injury reports of Mohammad Yusuf, Munsaf, Marham Hussain, and Malkhu Khan. Except for one injury on the right hand of Malkhu Khan, all the injuries are simple in nature. Due to the POP cast on the right hand of Malkhu Khan, the nature of the injury could not be assessed.

7. Upon hearing the arguments and perusing the record, we have found that the applicant-accused is no more required in the investigation and he is in custody for quite some time. The further proceedings will take its own time, therefore, looking to entirety of facts and circumstances of the case and without expressing any opinion on merits of the case, the Court deems it appropriate to grant bail to the applicant-accused.
8. Thus, the instant bail application filed on behalf of applicant-accused **Mahaveer Das Swami S/o Harikishan Das Swami**, is hereby allowed and the applicant-accused is ordered to be released on bail upon furnishing a personal bond of ₹50,000/- with two sureties of like amount to the satisfaction of the Trial Court with the following conditions:-
 - (i) The applicant-accused shall not tamper with evidence or influence the witness in any manner.

- (ii) The applicant-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.
- (iii) The applicant-accused shall attend the hearing of the Trial Court on the date fixed by the Trial court or as and when asked to appear before the Trial Court.
- (iv) In case of any violation of above conditions, the bail granted to the applicant-accused shall be liable to be canceled.

9. The Registry is directed to send a copy of this order to the Trial Court through E-mail.

(ASHOK KUMAR JAIN),J