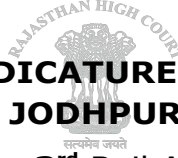




**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**



S.B. Criminal Miscellaneous **3rd** Bail Application No. 10930/2025

Ashok Kumar S/o Shree Subesingh, Aged About 38 Years,
Resident Of Isharwal, Police Station Tosam, District Bhiwani,
State Haryana. (At Present Sub Jail Rajgarh,district Churu)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Dinesh Vishnoi
For Respondent(s)	:	Mr. Narendra Gehlot, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/02/2026

1. The instant third bail application has been filed by the petitioner under Section 483 BNSS (439 of Cr.P.C.) who has been arrested in connection with the FIR No.41/2021 registered at the Police Station Hamirwas, District Churu, for the offences under Sections 147, 148, 302, 307 and 120-B read with Section 149 of the IPC and Section 3/25 of the Arms Act.

2. Counsel representing the petitioner submits that statement of the complainant-Ramesh Kumar has been recorded. He submits that the complainant in his statements has levelled omnibus allegations against the petitioner. He submits that the co-accused viz. Banshi Lal S/o Chhelu Ram(order dated 20.01.2026) S.B. CRLMB No. 13566/2025 application No.Rahul s/o Ramesh Kumar (order dated 01.07.2025 in SBCRLMB No.6104/2025), Sumit Chita s/o Satyaveer Singh (order dated 01.07.2025 in SBCRLMB No.6103/2025), Sandeep Kumar s/o Balveer (order dated



01.07.2025 in SBCRLMB No. 6107/2025), Ramesh Kumar s/o Hoshiyar Singh (order dated 15.02.2022 in SBCRLMB No.2126/2022), Somveer Singh s/o Karn Singh [order dated 07.05.2022 in SBCRLMB No.5508/2022 (second bail)], Sumit Kumar s/o Shree Ransingh (order dated 26.07.2022 in SBCRLMB No.6388/2022) and Somveer Somla s/o Shree Duleechand [order dated 24.08.2023 in SBCRLMB No.9498/2023 (third bail)], have been enlarged on bail by this Court as well as the Coordinate Benches of this Court.

3. Learned Counsel for the petitioner submits that the petitioner is in custody since 03.03.2021 and out of 81 prosecution witnesses, only 55 have been examined till date. It was further submitted that this Court, by accepting the instant bail application filed by the petitioner, may take into consideration the judgment passed by the Hon'ble Apex Court in the case of **Rabi Prakash v. State of Orissa (Leave to Appeal (Criminal) No.4169/2023) and Mohd. Muslim Hussain v. State [(NCT of Delhi) (Special Leave Petition (Crl.) No(s).915 of 2023)]**, while taking into consideration the incarceration period undergone by the petitioner.

4. Learned Public Prosecutor opposes the bail application. However, he was not in a position to refute the fact that the co-accused, viz.Banshi lal, Rahul, Sumit Chita, Sandeep Kumar, Ramesh Kumar, Somveer Singh, Sumit Kumar, and Somveer Somla, have already been granted bail by this Court as well as the Coordinate Benches of this Court.

5. Having considered the submissions advanced at the Bar by the learned counsel for the parties; having regard to the entirety of the facts and circumstances of the case as available on record;



and looking to the fact that the trial may take a long time to conclude-also taking into consideration the decision rendered by the Hon'ble Apex Court in the case of **Rabi Prakash (supra)**, as well as the fact that the petitioner has been behind bars for a long time-without expressing any opinion on the merits or demerits of the case, this Court deems it fit to enlarge the petitioner on bail.

6. Consequently, the second bail application under Section 483 of BNSS (439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner **Ashok Kumar S/o Shri SubeSingh** arrested in connection with F.I.R. No.41/2021 registered at Police Station Hamirwas, District Churu, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.1,00,000/- and two sureties of Rs.50,000/- 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.

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.

(KULDEEP MATHUR),J