

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 12572/2025

Kailash Singh @ Kamlesh S/o Shri Dhansingh, Aged About 35 Years, Resident Of Gandhinagar Aburoad Police Station Aburoad City District Sirohi Rajasthan.

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Arpit Surana
For Respondent(s)	:	Ms. Sonu Manawat, PP

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

10/12/2025

This anticipatory bail application under Section 482 of the BNSS (438 Cr.P.C.) has been filed by the petitioner apprehending his arrest in the present matter. The requisite details of which are tabulated herein below:

S. No.	Particulars of the case	
1.	FIR Number	217/2025
2.	Police Station	Abu Road Sahar
3.	District	Sirohi
4.	Offences alleged in the FIR	Under Sections 189(2), 126(2), 115(2) & 308(2) of BNS
5.	Offences added, if any	-

Learned counsel for the petitioner submits that the alleged incident has been reported by the complainant in the impugned FIR registered on 09.07.2025 in respect of incident took place on 07.07.2025 with regard to cleaning of empty plot for which JCB machine was used and some minor dispute took place between

petitioner and the complainant. It is submitted that the said FIR was lodged after an unexplained delay of two days. Though the FIR was lodged on 09.07.2025, he was not arrested, however, for the alleged second incident occurred on 10.07.2025, he was directed under Section 151 Cr.P.C and released thereafter on submitting bonds by which he was directed to maintain the conduct. Though the FIR was registered on 09.07.2025 but he was not arrested in connection with that. It is submitted that complete action as reported against the petitioner is false and frivolous and no such incident as reported has occurred. It is further submitted vide order dated 16.10.2025, passed by a Coordinate Bench of this Court, the petitioner was granted interim protection on his arrest and he was directed to join investigation. The petitioner has joined investigation and cooperated in the investigation. It is also submitted that all the injuries are simple in nature. He, therefore, prays that the petitioner may be enlarged on bail.

Learned Public Prosecutor has vehemently opposed the prayer for anticipatory bail. However, she does not refute the fact that all the injuries are simple in nature.

Heard the learned counsel for the parties and perused the impugned order.

Having regard to the facts and circumstances of the case and upon a consideration of the arguments advanced at the bar, without expressing any opinion on merits/demerits of the case, this Court is of the opinion that it is a fit case for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C (Section 482 BNSS).

Accordingly, the bail application is allowed and it is directed that in the event of arrest of petitioner as named in the cause title, arrested in connection with the above mentioned FIR, shall be released on bail, provided he furnishes a personal bond in the sum of Rs.50,000/- each along with two sureties of Rs.25,000/- each to the satisfaction of the concerned Investigating Officer/S.H.O. on the following conditions :-

- (i). that the petitioner shall make himself available for interrogation by a police officer as and when required;
- (ii). that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or any police officer; and
- (iii). that the petitioner shall not leave India without previous permission of the court.

(MUKESH RAJPUROHIT),J