

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 15478/2025

Dinesh Kumar S/o Dama Ram, Aged About 24 Years, R/o
Rughaniyo Ki Dhani (Bhimda), P.S. Nagana, District Barmer.
(At Present Lodged In Central Jail, Barmer.)

-----Petitioner

Versus

State Of Rajasthan, Through P.P.

-----Respondent

For Petitioner(s)	:	Ms. Shanti Choudhary
For Respondent(s)	:	Mr. Prem Singh Panwar, PP
For Complainant(s)	:	Mr. Omprakash for Mr. Rakesh Matoria

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

25/02/2026

1. The present bail application has been filed by the accused-applicant under Section 483 of the B.N.S.S., 2023 against the order dated 17.11.2025 passed by learned Sessions Judge, Barmer, District Barmer in Bail Application No.307/2025 arising out of FIR No.80/2025, registered at Police Station Nagana, District Barmer for the offences punishable under Sections 80(2) and 85 of BNS, 2023 by which the bail application of the accused-applicant under Section 483 of the B.N.S.S., 2023 has been dismissed.
2. Learned counsel for the accused-applicant submits that the accused-applicant has been falsely implicated in the present case. Learned counsel further submits that the charge-sheet has been filed before the trial court against the accused-applicant for the offences punishable under Sections 80(2) and 85 of the BNS,

2023. Learned counsel further submits that the complainant, who is the father of the deceased, has been examined before the trial court as PW-1; the mother of the deceased, namely Malu Devi, has been examined as PW-2; the aunt and uncle of the deceased have been examined as PW-3 and PW-4, respectively and other family members of the deceased have also been examined. It is submitted that all of them have turned hostile and have not supported the case of the prosecution and no evidence has been found against the accused-applicant.

3. Learned counsel for the accused-applicant contends that the accused-applicant was arrested on 03.09.2025 and since then, he is behind the bars. Learned counsel also contends that the charge-sheet has already been filed and trial will take long time to conclude, therefore, the accused-applicant be granted benefit of bail.

4. Learned Public Prosecutor as well as learned counsel for the complainant vehemently oppose the bail application, however, they do not dispute the fact that all the material witnesses in the case, including the parents of the deceased, have turned hostile and have not supported the prosecution story.

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

6. Considering the overall facts and circumstances of the case, looking to the fact that the accused-applicant was arrested on 03.09.2025 and since then he is behind the bars; the fact that all the material witnesses have turned hostile and that the charge-sheet has been filed and trial will take long time to conclude,

without expressing any opinion on the merits/demerits of the case, this Court deems it proper to allow the bail application filed by the applicant.

7. Consequently, this bail application filed under Section 483 of the B.N.S.S., 2023 is allowed. It is ordered that accused-applicant **Dinesh Kumar S/o Dama Ram**, arrested in connection with FIR No.80/2025, registered at Police Station Nagana, District Barmer shall be released on bail; provided he furnishes personal bond in the sum of Rs.50,000/- and two solvent attested sureties of Rs.25,000/- each to the satisfaction of the trial Court.

8. Applicant shall be required to appear before that Court on all dates of hearing and as and when called upon to do so.

(ASHUTOSH KUMAR),J