

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

S.B. Criminal Miscellaneous **II** Bail Application No. 15691/2025

Rewant Ram S/o Pokar Ram, Aged About 29 Years, Resident Of
Godaro Ka Bera, Chourai, Police Station Osian District Jodhpur (At
Present Lodged In Central Jail Jodhpur)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Arjun Singh
For Respondent(s)	:	Mr. Narendra Gehlot, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/05/2026

1. This second application for bail under Section 483 BNSS (439 Cr.P.C.) has been filed by the petitioner who has been arrested in connection with F.I.R. No.61/2020, registered at Police Station Dechu, District Jodhpur, for offences under Sections 304-B, 498-A and 302 of IPC.
2. Learned counsel for the petitioner submitted that the petitioner has remained in judicial custody for more than five years. It was submitted that the allegation against the petitioner is that the deceased, who was the wife of the petitioner, was suspicious of his alleged extra-marital affair and, owing to the said dispute, the petitioner allegedly murdered her.
3. Inviting the attention of this Court towards the charge-sheet papers and statements of various witnesses recorded before the competent criminal court, learned counsel submitted that there are several inconsistencies and contradictions in the statements of

the prosecution witnesses. Learned counsel further submitted that the FSL report pertaining to the sharp-edged weapon and blood-stained clothes has been received, which indicates that the blood group analysis is inconclusive. It was submitted that the mere presence of human blood on the recovered weapon or clothes, by itself, is not sufficient to secure a conviction for the offence of murder. Learned counsel contended that when the FSL report fails to establish the blood group, the forensic link itself becomes weak and inconclusive.

4. Lastly, learned counsel for the petitioner submitted that the petitioner has remained in judicial custody for a considerable period and the trial of the case is likely to take substantial time for its conclusion; therefore, the benefit of bail deserves to be extended to the accused-petitioner.

5. *Per contra*, learned Public Prosecutor has vehemently opposed the bail application.

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

7. Having considered the rival submissions and the facts and circumstances of the case, this Court *prima facie* finds that there is no eye-witness to the alleged occurrence. Further, the FSL report indicates that the blood group detected on the weapon and clothes is inconclusive and, therefore, no definite forensic linkage with the deceased could be established. In a case based entirely on circumstantial evidence and in the absence of any eye-witness account, it becomes necessary that the chain of circumstances be established through cogent and reliable scientific and other evidence.

8. This Court also finds that the petitioner has remained in judicial custody for more than five years, and till date, out of the 42 cited prosecution witnesses, statements of only 5 prosecution witnesses have been recorded before the competent criminal court. Learned Public Prosecutor has not pointed out any apprehension regarding the petitioner influencing the remaining prosecution witnesses or fleeing from justice in the event he is enlarged on bail.

9. Accordingly, without expressing any opinion on the merits or demerits of the case, this Court is inclined to enlarge the petitioner on bail.

10. Consequently, the second bail application under Section 483 BNSS (439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner- **Rewant Ram S/o Pokar Ram**, arrested in connection with F.I.R. No.61/2020, registered at Police Station Dechu, District Jodhpur, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- 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.

11. 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