

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 481/2026

Kamal Daya S/o Mangilal Daya, Aged About 45 Years, R/o 626,
Roshan Colony, Hiranmagri, Sector No. 12, Savina, District
Udaipur

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Digvijay Singh
For Respondent(s)	:	Mr. Hanuman Singh, PP Mr. Jay Prakash Bhardwaj

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

25/02/2026

1. This bail application under Section 482 BNSS has been filed by the petitioner apprehending his arrest. The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	127/2025
2.	Date of lodging FIR	28.03.2025
3.	Concerned Police Station	Hiranmagri
4.	District	Udaipur
5.	Offences alleged in the FIR	308(4), 308(5) and 3(5) of BNS, 2023
6.	Offences added, if any	--

2. Learned counsel for the petitioner submits that the petitioner has been made accused in the present crime merely on the basis of presumption. As a matter of fact, there was a monetary dispute between the petitioner and complainant which has been amicably

settled. He also submits that offences alleged against the present petitioner are triable by Magistrate and no fruitful purpose would be served by sending the petitioner behind the bars. Therefore, the petitioner may be granted benefit of anticipatory bail.

3. Learned Public Prosecutor vehemently opposes the grant of benefit of anticipatory bail.

4. Learned counsel appearing on behalf of complainant submits that the present FIR was lodged on account of some misunderstanding and now the issue has been settled and he has no objection if the petitioner is granted benefit of anticipatory bail.

5. Heard the learned counsel for the parties.

6. Having considered the rival submissions, facts and circumstances of this case so also the fact that offence alleged against the present petitioner are triable by Magistrate; the parties have amicably settled the dispute and in the considered opinion of this Court, no fruitful purpose would be served by sending the petitioner behind the bars. Thus, without expressing any opinion on merits/demerits of the case, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

7. Accordingly, the bail application is allowed and it is directed that in the event of arrest of petitioner-**Kamal Daya S/o Mangilal Daya**, in connection with the aforesaid FIR, the petitioner 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.

(SUNIL BENIWAL),J