

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 921/2026

Dharmendra Kumar S/o Late Amrat Lal, Aged About 30 Years, R/o Badhrayal Ki Jhonpadi, Police Station Peeloda, District Sawai Madhopur, Raj. (At Present Confined In Sub Jail Gangapur City).

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Mukesh Pal Jadoun, Mr. Anurag Chahar
For Respondent(s)	:	Mr. Vivek Choudary, PP, Mr. Mohamed Rahil Kalam

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

06/05/2026

1. The instant bail application has been filed under Section 483 BNSS on behalf of accused-petitioner. The accused-petitioner has been arrested in connection with FIR No. 123/2025 registered at Police Station Piloda, District Sawai Madhopur for the offences under Sections 103(1), 190, 191(2) and 238(a) of BNS.
2. Learned counsel for the accused-petitioner submits that the accused-petitioner has falsely been implicated in this case. He further submits that initially, the FIR was registered alleging that the petitioner along with the other co-accused assaulted the deceased resulting into her death. It is also contended that the police after thorough investigation concluded that the injuries sustained to deceased were found to be blunt in nature. The investigating agency also concluded that there was an altercation

between the petitioner and his wife and that in a fit of rage, deceased committed suicide. The investigating agency disbelieved the statement of petitioner's son as he was associated with the complainant. The Investigating Officer did not find commission of offence against the other co-accused. It is further contended that the accused-petitioner is in custody since long and the trial of the case may take considerable time and charge-sheet has already been submitted, therefore, the bail application of the accused-petitioner may be allowed.

3. Learned Public Prosecutor as well as learned counsel for the complainant have vehemently opposed the bail application and contended that the deceased's son in his statement rendered under Section 180 of BNSS, has clearly stated that the petitioner caused injuries with the *baak*. The deceased sustained as many as 15 injuries and it is not possible that if a person jumping into well would sustain multiple injuries. All the injuries were reported to be ante-mortem in nature. It is also contended that witness Kailashi has also seen the occurrence in her statement under Section 180 of BNSS stated that she saw the entire incident, therefore, considering the aforesaid facts, the bail application of the accused-petitioner may be dismissed.

4. Heard and perused the material available on record.

5. It is not desirable to express anything on the merits of the case, however, considering the fact that the deceased's son 'X' and Kailashi, in their statement rendered under Section 180 of BNSS has specifically stated that the petitioner caused injuries with the *baak* to the deceased. The learned Trial Court took cognizance for the offence under Section 103(1) of BNS on the application filed

by the complainant party under Section 213 of BNSS, therefore, considering the aforesaid facts, this Court is not inclined to enlarge the accused-petitioner on bail.

6. Accordingly, the bail application of the accused-petitioner is dismissed with the liberty that the petitioner shall be free to file the bail application afresh before the concerned Trial Court after recording of the statement of Kailashi and deceased's son 'X'.

7. The Trial Court is directed to record the statement of aforesaid 2 witnesses on the priority basis.

(PRAVEER BHATNAGAR),J

Keshav/7