

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 2739/2026

Prakash Chand S/o Late Shri Umrao, R/o Harjanpura Road,
Kanwat, Police Station Khandela, District Sikar (Rajasthan)
(Accused Confined In Sub Jail, Neem Ka Thana)

-----Petitioner

Versus

The State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Hari Kishan Saini

For Respondent(s) : Mr. Rajendra Singh Shekhawat, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN
Order

23/02/2026

1. Instant second application for bail filed under Section 483 of BNSS by the applicant-accused **Prakash Chand S/o Late Shri Umrao**, in FIR No. 21/2025 dated 10.01.2025 registered at P.S. Khandela, District - Sikar, whereby the applicant-accused was charged under Sections 115(2), 126(2), 333, 351(2), 189(2) of BNS.

2. First bail application of present petitioner was dismissed by this Court on 14.08.2025. The record also suggests that bail application of Inder Raj and Kamlesh were also dismissed by a Co-ordinate Bench on 16.09.2025. Learned counsel for petitioner submits that the petitioner is in custody for last more than one year and till date the trial court has not recorded statement of single witness.

3. Learned public prosecutor appearing on behalf of State of Rajasthan submits that one opportunity be granted to them to

produce the injured before the trial court so as to record the statement of injured before the trial court.

4. Having considered the submissions and also the material placed on record, learned counsel for petitioner offers to withdraw the bail application with liberty to file after recording statement of injured Sita Ram, Rukma and Anita and he requests that the trial court be directed to record statement within a period of 30 days from the date of receipt of copy of this order. If the statement is not recorded within 30 days then the Court will consider the bail application of present petitioner.

5. Learned public prosecutor is also directed to ensure that on next date of hearing, i.e. 06.03.2026, these three witnesses remain present before the trial court for recording the statement. If these three witnesses are not produced on 06.03.2026, then SHO, P.S. Khandela, District Sikar shall remain personally present before the trial court on 06.03.2026 to explain why these witnesses were not present before the trial court for recording of their statement.

6. It is made clear that in case if the statement is not recorded for any reason on 06.03.2026, then the matter be continued on day to day basis till recording of statement of these witnesses. Any deviation or negligence will not be tolerated by this Court.

7. Office is directed to send a copy of this order immediately to the trial court through concerned District Judge by e-mail.

(ASHOK KUMAR JAIN),J