

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Appeal (Sb) No. 369/2026

1. Mukeshram Urf Lala S/o Prahlad, Aged About 23 Years, R/o Devnarayan Mandir K Pass, Aanwli Road, Nayagao, Thana R K Puram, Kota City (At Present Accused Confined In Central Jail Kota).
2. Mahaveer Gurjar S/o Baldev, Aged About 22 Years, R/o Behind Kabir Ashram, Nayagao, Thana R K Puram, Kota (At Present Accused Confined In Central Jail Kota).

----Appellants

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. Vijay Bheel S/o Gopal Bheel, R/o Near Mobile Tower, Bheel Basti Nayaganv, R K Puram Kota City, Rajasthan

----Respondents

For Appellant(s)	:	Mr. Shivraj Chauhan
For Respondent(s)	:	Mr. Vivek Sharma, PP

HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

26/02/2026

1. The present Criminal Appeal has been filed by the accused-appellants under Section 14 of SC/ST Act, in connection with F.I.R. No.144/2025 registered at Police Station R.K. Puram, District Kota City for the offence(s) punishable under Section(s) 126(2), 115(2), 117(2), 109(1), 189(2) of BNS and Section 3(2)(v) of SC/ST Act.
2. Learned counsel for the appellants submits that the appellants have been falsely implicated in this case and they have nothing to do with the alleged offences. Learned counsel further submits that accused-appellant, Mukeshram Urf Lala S/o Prahlad

has not been named in the FIR. Learned counsel also submits that the statement of the sole injured witness namely, Brajesh @ Vijay Bheel, has already been recorded which prima facie reveals that respondent No. 2 initiated the altercation and assaulted the person named Mangal. He further submits that co-accused persons namely, Mukesh Gurjar and Sanwariya @ Sanwra have already been enlarged on bail by a Co-ordinate Bench of this Court, vide order dated 24.01.2026, in S.B. Criminal Appeal (Sb) No.3035/2025.

3. Learned counsel also contends that appellants are in custody since 03.08.2025, no recovery is required to be made from them, charge-sheet has already been filed in the matter and trial will take considerably long time in its conclusion, so no fruitful purpose would be served by keeping the appellants in custody, and therefore prays to enlarge the appellants on bail.

4. Learned Public Prosecutor oppose the submissions made by learned counsel for the appellants hereinabove.

5. Learned Public Prosecutor informs that due information has been given to the complainant / victim regarding the hearing of this criminal appeal, however, despite due service, no one has put in appearance on behalf of the complainant / victim.

6. Taking into consideration the overall facts & circumstances of the case; the arguments advanced by learned counsel for the appellants; co-accused have already been enlarged on bail by the Co-ordinate Bench of this Court, one of the petitioners is not named in the FIR, charge-sheet has been filed, statement of the injured has been recorded before the trial Court, and trial will take considerably long time in its conclusion, without commenting

anything upon the merits / demerits of the case, this Court deems it just and proper to allow the appeal filed by the appellants.

7. Consequently, the instant appeal is **allowed**. The impugned order dated 29.01.2026 passed by the Special Court, SC and ST (Prevention of Atrocities) Cases, Kota, in Criminal Bail Application No.33/2026, is set aside. It is ordered that the accused-appellants, namely **Mukeshram Urf Lala S/o Prahlad** and **Mahaveer Gurjar S/o Baldev**, arrested in connection with aforesaid F.I.R., shall be released on bail, if not wanted in any other case, provided each of them furnishes a personal bond of Rs.50,000/- and two sureties of Rs. 25,000/- each to the satisfaction of the learned trial Court with the following conditions:-

(i) The accused-appellants shall not tamper with evidence or influence the witness in any manner.

(ii) The accused-appellants shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the Law.

(iii) The accused-appellants shall attend the hearing of the trial Court on the date fixed by the trial Court or as and when asked to appear before the Trial Court.

(iv) In case of any violation of above conditions, the bail granted to the accused-appellants shall be liable to be cancelled.

(SANDEEP TANEJA),J