

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail Application No. 3530/2026

Rajesh Sharma S/o Prakash Chand @ Hariya, Aged About 32 Years, R/o Village Mudiya, Police Station Nagar, District Deeg, Presently Residing At Gurjar Colony, Bakhtal-Ki-Chowki, Police Station Udyog Nagar, District Alwar. At Present Lodged In The Central Jail, Alwar.

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

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|-------------------|---|--------------------------------------------------|
| For Petitioner(s) | : | Mr. Ashvin Garg                                  |
| For Respondent(s) | : | Mr. Vivek Chaudhary, PP,<br>Ms. Surbhi Khandewal |

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**HON'BLE MR. JUSTICE PRAVEER BHATNAGAR**

**Order**

**04/05/2026**

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. 263/2025 registered at Police Station Udyog Nagar(MIA), District Alwar for the offences under Sections 115(2), 103(1) of BNS.
2. Learned counsel for the accused-petitioner submits that the accused-petitioner has falsely been implicated in this case. He submits that the road traffic accident has been given colour of the murder. There is previous enmity of the deceased and his family member with the petitioner. It is also contended that the other injured Jitender was medically examined by the Investigating Agency after a delay of eight days. It is also contended that there

is no document available on record confirming the fact that the other injured Jitender remained hospitalized in hospital at Alwar and thereafter he was referred to other hospital. It is also contended that the complaint was lodged by PW-1 Ramveer Singh claiming himself as eye-witness, however, in his deposition before the Court, he has stated that Pramod informed him about the incident. It is also contended that Pramod was never investigated by the Investigating Agency and not named as witness to the incident. It is also contended that the concerned doctor PW-09 who conducted the post-mortem of the deceased, in his cross-examination has stated that there was no crushed injury sustained to the deceased. It is also contended that similarly Jitender did not receive any crushed injury on his body. It is also contended that though in the charge-sheet, it is stated that CCTV footage to the place of incident were taken, however, police has not submitted any CCTV footage with the charge-sheet. It is also contended that PW-6 Mukesh has turned hostile and not stated that the vehicle from which the alleged incident occurred was handed over to him by the petitioner. The criminal antecedents shown against the petitioner pertains to the year 2012, 2014 and 2017. The accused-petitioner is in custody since 15.08.2025 and the trial of the case may take considerable time, 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. It is contended by learned counsel for the complainant that Rajesh by negligently driving the vehicle No. RJ14-TD-0975 intentionally ran over the deceased and injured Jitender. It is also contended that

the deceased and injured Jitender were on the scooty and the petitioner with an intention to cause murder of the deceased followed the scooty and thereafter ran over his vehicle over the deceased and the other injured. It is also contended that deceased sustained multiple injuries and Jitender also received multiple injuries, out of which two injuries were found to be grievous in nature. It is also argued that injured Jitender in his Court statement has supported the prosecution story and if the investigating officer has failed to record his statement on the very day, then the fault cannot be assigned to the injured. It is also contended that against accused-petitioner Rajesh, three cases were registered, therefore, considering the above facts, the bail application of the accused-petitioner may be dismissed.

4. Heard and perused the material available on record.

5. The material eye-witness PW-2 injured Jitender, in his examination-in-chief has corroborated the prosecution story. It is not desirable to minutely scrutinized the evidence of witnesses at the stage of bail. In the FIR, name of injured Jitender was specifically mentioned by the complainant. The deceased and the injured Jitender sustained multiple injuries and out of which, two injuries to the injured Jitender were found to be grievous in nature, therefore, considering the aforesaid facts, this Court is not inclined to enlarged the accused-petitioner on bail.

6. Accordingly, the bail application of the accused-petitioner is hereby, dismissed.

(PRAVEER BHATNAGAR),J