

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Appeal (Sb) No. 564/2026

Sohail Khan Son Of Shri Mohammad Aslam, Aged About 23 Years, R/o Jameela Manjil, Charbhuj Mandir Ki Gali, Kumharon Ka Mohalla, Chawni, Gumanpura, Kota. (At Present Is Confined In Central Jail, Kota.)

-----Accused-Appellant

Versus

1. State Of Rajasthan, Through P.P.
2. Nandani Davariya D/o Shri Vijay Kumar, Aged About 22 Years, R/o Hardauyal Lala Baba Mandir Ke Pass, Bhati Chowk, Chawani, Gumanpura, Kota City, Rajasthan.

-----Complainant/Respondent

Connected With

S.B. Criminal Appeal (Sb) No. 391/2026

1. Arman Khan Son Of Mohammad Aslam, Aged About 23 Years, R/o Jamila Manjil, Charbhuj Mandir Ki Gali, Kumharon Ka Mohalla, Chhavni, Gumanpura, Kota. (At Present Confined In District Jail, Kota)
2. Danish Son Of Shakil Ahmad, Aged About 22 Years, Resident Of Naresh Kirana Store Ke Pass, Bharat Clinic Ke Pass, Chhavni Main Road, Guamanpura, Kota City. (At Present Confined In District Jail, Kota)

-----Accused-Appellants

Versus

1. State Of Rajasthan, Through P.P.
2. Nandani Davariya D/o Shri Vijay Kumar, R/o Hardauyal Lala Bapa Mandir Ke Pass, Bhati Chauk Chhawani, Gumanpura, Kota City, Rajasthan.

-----Respondent/Complainant

For Appellant(s) : Mr. Mohammad Wasim Khan
Mr. Ajeet Kumar

For Respondent(s) : Mr. Manvendra Singh Choudhary, PP

HON'BLE MRS. JUSTICE SANGEETA SHARMA**Order****18/03/2026**

1. This criminal appeal has been filed on behalf of the accused-appellants under Section 14(A)(2) of S.C./S/T. (Prevention of Atrocities) Act, in connection with FIR No. 30/2026 registered at Police Station Gumanpura, District Kota, for the offence(s) under Sections 126(2), 115(2), 109(1), 189(2), 331(2), 191(2), 191(3), 190 BNS and Sections 3(1)(r)(s), 3(2)(v), 3(2)(va) 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 offence. Learned counsel further submits that the appellants are in custody since 18.01.2026 and charge-sheet has already filed in this matter. He further submits that the injuries sustained by the injured neither fatal nor dangerous to life; co-accused persons Amir Khan and Nabeel Abbasi @ Nabbu have been enlarged on bail by the Co-ordinate Bench of this Court vide order dated 09.02.2026 in S.B. Criminal Appeal (Sb) No. 184/2026; there are no criminal antecedent against the appellants; trial will take its own time, so no fruitful purpose would be served by keeping the appellants in custody and, therefore, prays to enlarge the appellants on bail.
3. *Per contra*, learned Public Prosecutor vehemently opposes the submissions made by learned counsel for the appellants hereinabove and submits that no one has put appearance on behalf of the victim/complainant.
4. Having regard to the totality of the facts and circumstances of the case; considering the arguments advanced by learned

counsel for the accused-appellants, the fact that charge-sheet has been filed in the matter; accused-appellants are behind the bars since 18.01.2026; trial will take its own time. Hence, this Court without commenting anything on merits/demerits of the case, deems it just and proper to enlarge the appellants on bail.

5. Consequently, the instant appeal is **allowed**. The impugned orders dated 17.02.2026 and 13.02.2026 passed by Special Court, SC and ST (Prevention of Atrocities) Cases, Kota in Criminal Bail Application Nos. 56/2026 and 54/2026 respectively are set aside. It is ordered that the accused-appellants **Sohail Khan Son Of Shri Mohammad Aslam, Arman Khan Son Of Mohammad Aslam and Danish Son Of Shakil Ahmad** are ordered to be released on bail, provided each of them furnishes a personal bond in the sum of Rs. 1,00,000/- with two sureties of Rs. 50,000/- each to the satisfaction of the 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.

6. Office is directed to send a copy of this order to the concerned trial Court through e-mail/fax, for necessary compliance.

(SANGEETA SHARMA),J

SHIVANI/157-158