

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 5044/2026

Smt. Shila W/o Rakesh Kumar, Aged About 50 Years, R/o Village Hanumanpura, Police Station Sadar, Jhunjhunu Presently Plot No. 16, Mayur Residency, Doctor Rajendra Prasad Nagar, Police Station Naryan Vihar Jaipur. (At Present Accused Petitioner Confined Central Jail Jaipur).

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 5638/2026

Dr. Sher Singh Rajawat S/o Shri Madan Singh, Aged About 48 Years, R/o Badagaon, Police Station Nangal Rajawatan, District Dausa, Rajasthan, Presently Residing At Omega 11, Anukampa Market, Muhana Mandi, Jaipur, Rajasthan. (Presently Confined In Central Jail, Jaipur).

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

S.B. Criminal Miscellaneous Bail Application No. 5883/2026

Hari Kumawat S/o Jagdish Kumawat, Aged About 41 Years, R/o Village Aantela, Police Station Bhabaru, District Kotputali-Behror Presently Residing At House No. 7/93, Peeli Haveli, Tripolia Gate, Police Station Malpura Gate, Jaipur. (At Present Confined At Central Jail, Jaipur)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s) : Mr. Surya Pratap Singh,
Mr. Gajendra Singh Rathore,
Mr. Navdeep Singh,
Mr. Ram Babu Khandelwal

For Respondent(s) : Mr. Vivek Choudhary, PP

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

28/04/2026

1. These instant bail applications have been filed under Section 483 BNSS on behalf of accused-petitioners. The petitioners have been arrested in connection with FIR No.02/2026 registered at Police Station PBI, Medical and Health Services, Raj. Jaipur, District Jaipur for the offence(s) under Sections 4, 5, 6, 18, 23 and 25 of PCPNDT Act, 1994 and Rule 4 of PCPNDT Rules, 1996 and Sections 318(2), 61(2) of BNS.
2. Learned counsel for the accused-petitioners submits that the accused-petitioners have falsely been implicated in this case. He further submits that the accused-petitioners are in custody for more than a month. It is also contended that as per the provision contained under Sections 27 and 28 of PCPNDT Act, the FIR could not be registered against the petitioners and only upon the submission of complaint, the concerned Court could take cognizance, therefore, considering the aforesaid facts, these bail applications of the accused-petitioners may be allowed.
3. Learned Public Prosecutor has vehemently opposed these bail applications and contended that the accused-petitioners namely: Dr. Sher Singh Rajawat and Hari Kumawat are habitual offender and against them 2 criminal cases are registered, therefore, the bail applications of the accused-petitioners may be dismissed.
4. Heard and perused the material available on record.

5. Considering the arguments advanced by learned counsel for the petitioner and taking into account the period of incarceration of the accused-petitioners and without commenting anything on the merits of the case, I deem it just and proper to enlarge the accused-petitioners on bail.

6. Accordingly, these bail applications under Section 483 BNSS are allowed and it is ordered that the accused-petitioners namely:

1. Smt. Shila W/o Rakesh Kumar, 2. Dr. Sher Singh Rajawat S/o Shri Madan Singh and 3. Hari Kumawat S/o Jagdish Kumawat in connection with FIR No.02/2026 registered at Police Station PBI, Medical and Health Services, Raj. Jaipur, District Jaipur, shall be enlarged on bail provided each of them furnish a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for their appearance before the court concerned on all the dates of hearing and as and when called upon to do so. The learned trial Judge shall also verify the address and the contact details of the surety through concerned SHO before releasing the accused-petitioners namely: Dr. Sher Singh Rajawat and Hari Kumawat on bail.

7. The accused-petitioners namely: Dr. Sher Singh Rajawat and Hari Kumawat are also directed to mark their presence on 25th of every month till conclusion of trial before the concerned police station. The SHO of the concerned police station is directed to maintain a regular register marking the presence of the accused-petitioners and shall send the presence report of the accused-petitioners on the same day to the concerned Trial Court without any delay.

8. The accused-petitioners namely: Dr. Sher Singh Rajawat and Hari Kumawat are also directed to submit their present address along with the mobile number to the concerned SHO within a period of 7 days from their release and the concerned SHO shall verify the said addresses and the mobile number. In case if the petitioners changes their addresses or mobile numbers, they shall submit the same before the concerned SHO so also before the concerned learned Trial Court. In case of any breach to the aforementioned conditions, the learned Public Prosecutor shall be free to move the application against the accused-petitioners for cancellation of the bail before the concerned Court.

9. A copy of this order shall be sent to the concerned SHO for its strict compliance.

(PRAVEER BHATNAGAR),J