



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



S.B. Criminal Miscellaneous Bail Application No. 5149/2026

Jaimal S/o Ghisaram, R/o Kyara, Police Station Mundawar,
District Khairthal-Tijara. (At Present Lodged In The Sub Jail,
Kishangarhbas).

-----Petitioner

Versus

State of Rajasthan, through PP

-----Respondent

For Petitioner(s)	:	Ms. Aditi Meena & Ms. Vishnavi, for Mr. Ashvin Garg
For Respondent(s)	:	Mr. S.R. Dhakad, PP Mr. Dharmendra Gurjar, for complainant

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

22/04/2026

1. This bail application has been filed by the accused petitioner u/S 483 BNSS in connection with FIR No. 489/2025 registered at Police Station Mundawar, District Khairthal-Tijara for offence u/S 115(2), 126(2) & 189(2) of the BNS.
2. Learned counsel for the accused petitioner submits that the accused petitioner has been falsely implicated in this case. She further submits that in the alleged incident, other than the deceased-Jairam, three persons namely-Ramdhan, Maansingh and Aman @ Paramjeet are said to have sustained injuries. Counsel further submits that statements of all the three injured persons were recorded by the police u/S 180 BNSS and in their statements, none of the injured witnesses has named the present



accused petitioner for being involved in the alleged incident which took place on 16.10.2025. She also submits that the accused petitioner is in custody since 24.10.2025 and after completion of investigation, the police has submitted charge-sheet in the matter. Counsel also submits that the trial of the case will take long time as in the list of witnesses, there are 30 prosecution witnesses.

3. Learned Public Prosecutor as well as counsel for the complainant vehemently opposed the bail application. Counsel for the complainant submits that the accused petitioner has been named in the statements of various other witnesses namely Mohan Lal, Om Prakash and Roshan Lal as regards the involvement of the accused petitioner in the alleged incident. He also submits that the charges are yet to be framed by the trial Court which will show whether the accused petitioner is involved in the incident or not.

4. In rejoinder, counsel for the accused petitioner stated that the statements of the witnesses recorded by the police after two months of the incident and in such circumstances, their veracity is doubtful.

5. Considered the submissions made by learned counsel for the accused petitioner and learned Public Prosecutor as well as counsel for the complainant.

6. As per the facts on record, 17-18 persons are said to have attacked on the complainant party, wherein Jairam died and 3 persons namely-Ramdhan, Maansingh and Aman @ Paramjeet sustained injuries. On going through the statements of the injured witnesses recorded u/S 180 BNSS, the Court finds that they have not named the present accused petitioner as regards his



participation in making the attack over the complainant party. Though, in their statements, they stated that the alleged incident took place out of the house of the present accused petitioner.

Merely, an incident that took place outside the house of the petitioner cannot be the basis for saying that the present petitioner is an accused.

7. Taking into consideration the totality of the facts and circumstances of the case and more particularly the fact that the injured witnesses, in their statements recorded u/S 180 BNSS, have not shown any kind of specific overt act of the accused petitioner in the alleged incident and the fact that the accused petitioner is in custody since 24.10.2025 and after completion of investigation, the police has submitted charge-sheet in the matter, this Court, without expressing any opinion on merits or demerits of this case, deems just and proper to enlarge the petitioner on bail.

8. Accordingly, this bail application is allowed and it is directed that accused-petitioner shall be released on bail provided that he furnishes a personal bond in the sum of Rs. 1,00,000/- (Rupees One Lac Only), together with two sureties in the sum of Rs. 50,000/- (Rupees Fifty Thousand Only)(each) to the satisfaction of the Trial Court with the stipulation that he shall appear before that Court or any Court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

(GANESH RAM MEENA),J