

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Appeal (Sb) No. 760/2026

Rajendra Gochar @ Rajveer S/o Shri Bhanwarlal, Aged About 27 Years, R/o Near Mahadev Mandir, Rajnagar, Police Station Borkheda, Kota City, Raj.
(At Present Confined In District Jail Kota)

----Appellant

Versus

1. State of Rajasthan, Through P.P.
2. Prathviraj Mehra S/o Prabhu Lal, R/o Rajnagar, Borkheda, Kota City, Rajasthan.

----Respondents

For Appellant(s)	:	Mr. Gajveer Singh Sogarwal
For Respondent(s)	:	Mr. Vijay Singh Yadav, P.P. Mr. Samarth Sharma

HON'BLE MR. JUSTICE RAVI CHIRANIA (V.J.)

Order

18/06/2026

1. This criminal appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter to be referred as 'the SC/ST Act') has been filed on behalf of the appellant being aggrieved by the order dated 02.02.2026 passed by the learned Special Judge S.C./S.T. (Prevention of Atrocities Cases), Kota (hereinafter to be referred as 'learned Trial Court') in FIR No. 46/2026 dated 28.01.2026 registered at Police Station Borkhera, District Kota City for the offences punishable under Sections 115(2), 126(2) & 3(5) of B.N.S., 2023 and Section 3(2)(va), 3(1)(r) & 3(1)(s) of SC/ST Act, whereby the learned trial Court has dismissed the bail application filed by the appellant.

2. Learned counsel for the appellant submits that the Police, after conducting the investigation, has filed the charge-sheet and no further interrogation or recovery is required from the appellant. Learned counsel submits that the impugned rejection order contains 20 antecedents against the appellant which are of the year 2020 for the offence punishable under Section 379 IPC, 1860. Learned counsel submits that one after other, the appellant was implicated in the cases and there was no case registered against him prior or subsequent to the year 2020 as mentioned in the bail rejection order. Learned counsel further submits that the appellant is behind the bars since 01.02.2026 and investigation/trial of the case will take considerable time to conclude. In view thereof, learned counsel prays that the present appeal be allowed and the appellant be enlarged on bail.

3. Learned Public Prosecutor as well as learned counsel for the complainant strongly oppose the prayer made on behalf of the appellant.

4. Heard learned counsel for the appellant, learned Public Prosecutor and learned counsel for the complainant and perused the material on record.

5. This Court, considering the fact that the incidents as reported in the impugned order are of the year 2020 except two cases of the year 2019 and there are no cases prior or subsequent to that against the appellant, charge-sheet has already been filed, no further judicial custody is required in this case and without commenting on the merits/demerits of the case, deems it just and

proper to allow the appeal filed by the appellant under Section 14A(2) of SC/ST Act, 1989.

6. Accordingly, this criminal appeal filed under Section 14A(2) of SC/ST Act is allowed and order dated 02.02.2026 passed by the learned Trial Court is hereby set aside. It is directed that appellant - Rajendra Gochar @ Rajveer S/o Shri Bhanwarlal shall be released on bail provided he executes a personal bond in a sum of Rs.1,00,000/- with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of learned Trial Court with the stipulation that he shall appear before that Court and any Court to which the matter is transferred, on all subsequent dates of hearing and whenever called upon to do so and shall comply with all the conditions laid down under Section 437(3) Cr.P.C./480(3) B.N.S.S., 2023.

7. The appellant is further directed not to take undue advantage of liberty or misuse liberty. It is made clear that the observation as made by this Court in the bail application will not affect the trial of the case.

8. In case of breach of any of the above conditions, the same shall be treated as a violation of this order and further if the accused appellant is found to be involved in similar such cases during pendency of the trial, this bail shall stand canceled without further reference to this Court.

(RAVI CHIRANIA (V.J.)),J