

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Appeal No. 905/2026

Yashi Alias David Suvalka Son of Ramnarayan Suvalka, Aged About 25 Years, Bijasan Mata Mandir Road, Thermal Colony, Kunadi, Police Station Kunadi, Kota. (Presently Confined At District Jail, Kota)

----Accused-Petitioner

Versus

1. The State of Rajasthan, Through P.P.

----Respondent

2. Sunil Goha Son of Latoor Lal, Aged About 47 Years, Resident of Chambal Colony, Saketpura, Kunadi Kota City, Rajasthan

----Respondent/Complainant

Connected With

S.B. Criminal Appeal No. 906/2026

Lucky Son of Ramnarayan Suvalka, Aged About 20 Years, Resident of Plot No. 864 Bijasan Mata Road, Police Station Kunadi, Kota (Raj.). (Presently Confined At District Jail, Kota)

----Accused-Petitioner

Versus

1. The State of Rajasthan, Through P.P.

----Respondent

2. Sunil Goha Son of Latoor Lal, Aged About 47 Years, Resident of Chambal Colony, Saketpura, Kunadi Kota City, Rajasthan

----Respondent/Complainant

For Appellant(s) : Mr. Pranav Pareek

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

HON'BLE MRS. JUSTICE SANGEETA SHARMA

Order

29/04/2026

1. These criminal appeals have been filed on behalf of the accused-appellants under Section 14(A) of S.C./S.T. (Prevention of Atrocities) Act, in connection with FIR No. 77/2026 registered at

Police Station Kunadi, District Kota City, for the offence(s) under Sections 126(2), 115(2), 3(5) of BNS.

2. Learned counsel for the accused-appellants submits that the accused-appellants have been falsely implicated in this case. He also submits that the accused-appellants namely Yashi Alias David Suvalka and Lucky are behind the bars since 21.04.2026 and 09.04.2026 respectively. He further submits that the recovery has already been effected and the accused-appellants are not required for further investigation. He further submits that it is a case of cross FIRs. He further submits that the injuries sustained by the injured are neither fatal nor dangerous to life. The trial will take its own time, so no fruitful purpose would be served by keeping the accused-appellants in custody and, therefore, prays to enlarge the accused-appellants on bail.

3. *Per contra*, learned Public Prosecutor vehemently opposes the criminal appeals. He also submits that the victim/complainant has been informed about filing of these criminal appeals, but no one has put in appearance on his/her behalf. He further submits that there are criminal antecedents against the accused-appellants.

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 the accused-appellants namely Yashi Alias David Suvalka and Lucky are behind the bars since 21.04.2026 and 09.04.2026 respectively; that the recovery has already been effected and the accused-appellants are not required for further investigation; that the injuries sustained by the injured are neither fatal nor dangerous to life.

Hence, this Court without commenting anything on merits/demerits of the case, deems it just and proper to enlarge the accused-appellants on bail.

5. Consequently, these instant appeals are **allowed**. The impugned orders dated 22.04.2026 and 13.04.2026 passed by Special Court, SC and ST (Prevention of Atrocities) Cases, Kota in Bail Applications (CIS) Nos. 102/2026 and 95/2026 are set aside. It is ordered that the accused-appellants namely **Yashi Alias David Suvalka Son of Ramnarayan Suvalka** and **Lucky Son of Ramnarayan Suvalka** 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