

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 7001/2026
URN: CRLMB / 12668U / 2026

- 1. Murari S/o Ram Prasad, Aged About 38 Years, R/o Village Odi, Police Station Sadar, Dholpur, District Dholpur. (At Present Accused Confined In Central Jail, Dholpur).
- 2. Krishankant S/o Lokesh, Aged About 25 Years, R/o Village Odi, Police Station Sadar, Dholpur, District Dholpur. (At Present Accused Confined In Central Jail, Dholpur).

-----Petitioners

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. A.K. Gupta, Sr. Advocate Mr. Rinesh Gupta Mr. Saurabh Pratap Singh Mr. Sarwat Alam Mr. Ashutosh Singh Naruka
For Respondent(s)	:	Mr. Vijay Singh Yadav, PP Mr. Mohd. Shahid Hasan

HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

10/07/2026

- 1. The petitioners have filed this bail application under Section 483 of BNSS in FIR No.382/2025 registered at Police Station Sadar, District Dholpur for offence under Sections 189(2), 115(2), 126(2), 352, 103(1) and 324(6) of BNS-2023.
- 2. Heard learned counsel for the petitioners as well as learned Public Prosecutor and counsel for the complainant and perused the material available on record.
- 3. Learned counsel for the petitioners submit that the petitioners have falsely been implicated in this case. Learned

counsel for the petitioners further submits that, although the allegations in the FIR are that the petitioners inflicted a lathi blow on the head of the deceased, Nirotam, resulting in his death, the post-mortem report does not record any injury on the head of the deceased. It is contended that the FIR has been lodged against total eight persons and none of the eye-witnesses has specifically stated that the petitioners assaulted the deceased with a lathi on his head. Such material inconsistencies, it is argued, render the prosecution case highly improbable qua the petitioners. The omission on the part of the eye-witnesses to specifically attribute a head blow to the petitioners, coupled with the absence of any corresponding injury on head, in the post-mortem report creates a serious issue regarding the prosecution version. It is, therefore, contended that the petitioners cannot be attributed with having caused the injury which allegedly resulted in the death of the deceased. It is further argued that although lathis have been recovered at the instance of both the petitioners, the said lathis were not found to be blood-stained and the recoveries are not supported by any forensic or scientific evidence connecting them with the alleged offence. Learned counsel also submits that the petitioners have been in judicial custody since 30.10.2025 with no criminal antecedents and the investigation has already been completed with the filing of the charge-sheet. The trial is likely to take considerable time to conclude. Therefore, no useful purpose would be served by keeping the petitioners in further judicial custody, and the present bail application deserves to be allowed.

4. On the contrary, learned Public Prosecutor and counsel for

the complainant have vehemently opposed the bail application.

5. On consideration of the rival submissions and material available on record and in the light of submission made by learned counsel for the petitioners but without expressing any opinion on merits/demerits of the case, I am inclined to grant benefit of bail to the petitioners.

6. Consequently, the bail application under Section 483 B.N.S.S. is allowed and it is directed that the petitioners **Murari S/o Ram Prasad and Krishankant S/o Lokesh**, be released on bail provided each of them furnishes a personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs.25,000/- each to the satisfaction of the learned trial court with the stipulation that they shall appear before that Court on all subsequent dates of hearing till conclusion of the trial.

(PRAMIL KUMAR MATHUR),J