

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 7176/2026
CNR: RJHC020434002026 | URN: CRLMB / 13036U / 2026

Bhupendra Singh Kharwa S/o Shri Gyansingh, Aged About 33
Years, R/o Gopal Sagar Kharwa, Police Station Beawar Sadar,
District Beawar.
(Presently Lodged In Central Jail, Ajmer).

-----Accused-Petitioner

Versus

State Of Rajasthan, Through PP, Ajmer.

-----Respondent

For Petitioner(s)	:	Mr. Javed Khan Ms. Nishita Gambhir
For Respondent(s)	:	Mr. Amit Kumar Gupta, PP Mr. Girdhari Singh (ASI), Police Station Ramganj, District Ajmer (IO)

HON'BLE MR. JUSTICE BIPIN GUPTA
Judgment / Order

03/08/2026

- The present bail application has been filed under Section 483 of BNSS, 2023 against the order dated 20.04.2026 passed by the learned Sessions Judge, District-Ajmer, in Criminal Misc. Case (CIS) No.426/2026, whereby the bail application of the petitioner was rejected in connection with F.I.R. No.84/2026, Police Station Ramganj, District-Ajmer for the offences under Section 5/25 of the Arms Act, 1959.
- Learned counsel for the petitioner submits that the petitioner was in custody since 12.12.2025 in FIR No. 301/2025 Police Station Adarsh Nagar, District Ajmer. He further submits that considering the pendency of the cases, a Co-ordinate Bench of this Court vide order dated 12.05.2026 in S.B. Criminal Miscellaneous

Bail Application No. 5165/2026 has already enlarged the petitioner on bail but due to present case he has not been enlarged on bail.

3. Learned counsel for the petitioner submits that in the present FIR, the petitioner has been implicated on account of the statement of co-accused who was caught on spot and from whom the recovery has been made. He further submits that no date was mentioned by the said co-accused that on what date he had acquired the weapon from the petitioner. Therefore, he submits that he has been falsely implicated in this FIR.

3. Learned counsel for the petitioner submits that the challan has already been filed and even the offences are triable by Magistrate. Moreover, the conclusion of trial will take sufficiently long time. He further submits that the petitioner is ready and willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays that the petitioner be enlarged on bail, as he is in custody since 03.04.2026.

4. Learned Public Prosecutor vehemently opposes the present bail application.

5. Heard learned counsel for the petitioner as well as learned Public Prosecutor and perused the material available on record.

7. Without expressing any opinion on the merits of the case and upon a consideration of the fact that the challan has been filed; offences are triable by Magistrate; the conclusion of trial will take sufficiently long time; in this case the petitioner is in custody since 03.04.2026 and further considering the fact that in prior FIR that was lodged, the petitioner has been enlarged on bail; pendency of the similar nature offence, this Court is of the opinion that the bail

application filed by the petitioner deserves to be accepted subject to imposition of stringent conditions.

8. Consequently, the bail application is **allowed**. It is ordered that the accused-petitioner namely- **Bhupendra Singh Kharwa S/o Shri Gyansingh** arrested in connection with F.I.R. No.84/2026, Police Station Ramganj, District-Ajmer, shall be released on bail; provided he furnishes a personal bond of Rs.1,00,000/- (Rs. One Lakh Only) with two sureties of Rs. 50,000/- (Rs. Fifty Thousand Only) each, to the satisfaction of the learned Trial Court, with the stipulation that he shall appear before the said Court on all dates of hearing and as and when called upon to do so until completion of the trial, subject to the following conditions:

- (i) The petitioner shall not leave country without the permission of the Court;*
- (ii) The petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;*
- (iii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence; and*
- (iv) In the event the petitioner is found involved in any other case of similar nature in the future, the prosecution shall be at liberty to move an appropriate application before the learned trial Court for cancellation of the bail granted herein.*
- (v) The accused-petitioner shall mark his presence before the concerned police station once in a month as fixed by the Investigating Officer and a register shall be maintained for the same by Investigating Officer.*
- (vi) In case of any change of residential address, the accused-petitioner shall immediately inform the Investigating Officer as well as the trial Court.*

(BIPIN GUPTA),J