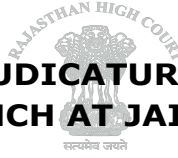




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Criminal Miscellaneous 2nd Bail Application No. 8790/2026
URN: CRLMB / 16116U / 2026

Yusuf @ Isuf @ Daldi S/o Kamar Khan, Aged About 30 Years, R/o Village Mancha, Police Station Kishangarhbas, District Khairthal-Tijara. (At Present Accused Petitioner Confined In Sub Jail Kishangarhbas).

----Petitioner

Versus

State of Rajasthan, through PP

----Respondent

Connected With

S.B. Criminal Miscellaneous 2nd Bail Application No. 9244/2026
URN: CRLMB / 16966U / 2026

Sabir S/o Sappi Mohammad, R/o Village Mancha, Police Station Kishangarhbas, District Khairtal-Tijara, Rajasthan (Currently In Sub-Jail, Kishangarh Bas)

----Petitioner

Versus

State of Rajasthan, through PP

----Respondent

For Petitioner(s)	:	Mr. Suresh Kumar Dhenwal in CRLMB No.8790/2026 Mr. Harendra Singh Sinsinwar in CRLMB No.9244/2026
For Respondent(s)	:	Ms. Arti Sharma, Public Prosecutor Mr. Girish Khandelwal for complainant

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

17/07/2026

1. These second bail applications have been filed under Section 483 of BNSS, 2023 on behalf of accused-petitioners in connection with FIR No.453/2025 registered at Police Station Kishangarhbas,



District Khairthal-Tizara for the offences under Sections 189(2), 115(2), 126(2), 140(3) and 103(1) of BNS, 2023.

2. Heard.

3. Considered the submissions made by counsels for the petitioners as well as learned Public Prosecutor assisted by counsel for the complainant and also perused the challan papers.

4. As per contents of the FIR, the deceased-Samay Deen was taken by the accused party at the residence of one of the accused and was given beating in such a manner that ultimately he died. As per contents of the FIR which were alleged by brother of the deceased, mentioning that whatever he has narrated in the same were disclosed by the deceased to him. In the FIR, both the petitioners have not been named.

5. Learned counsels for the accused-petitioners submit that the accused-petitioners have been falsely implicated in this case just to implicate all the family members of the accused-petitioners. They further submit that the accused-petitioners are in custody since 03.11.2025 and the Police after completion of investigation has already submitted charge-sheet. It is also submitted by them that some of the material witnesses, namely, Jabra (PW-1), Subba (PW-2) and Hashraf (PW-5) have not supported the case of prosecution and have turned hostile.

6. Learned counsel appearing for the complainant submits that the accused-petitioners are seen in the CCTV footage where the deceased was lying which shows that the accused-petitioners actively participated in the commission of offence.



7. Learned Public Prosecutor vehemently opposed the bail applications.

8. The present FIR is said to be lodged by brother of the deceased on the basis of what he has been disclosed by the deceased before his death. In the FIR, both the accused-petitioners have not been named, this *prima-facie* shows that the deceased was not made any allegation against them. As far as the presence of the accused-petitioners near to body of the deceased is concerned, this does not speaks of active participation of the accused-petitioners.

9. Taking into consideration overall facts and circumstances of the case as observed above and so also the fact that the accused-petitioners are in custody since 03.11.2025, this Court without expressing any opinion on the merits or demerits of the case, deems it just and proper to enlarge the accused-petitioners on bail.

10. Accordingly, these second bail applications under Section 483 BNSS are allowed and it is ordered that the accused-petitioners named above shall be enlarged on bail provided, each of them furnish a personal bond in the sum of Rs.1,00,000/- together with two sureties of Rs.50,000/- each to the satisfaction of the learned trial Judge for their appearance before the Court concerned on all the dates of hearing and as and when called upon to do so.

(GANESH RAM MEENA),J