

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 8626/2026
CNR: RJHC020535332026 | URN: CRLMB / 15756U / 2026

Boby Kumar S/o Shri Dinesh, Aged About 19 Years, R/o Khudasa, Police Station Gehnoli Moad, District Bharatpur. (At Present Petitioner Is Confined In Central Jail Ajmer).

-----Petitioner

Versus

The State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Amitabh Jatav Ms. Preeti Kumari Mr. Puneet Prajapat
For Respondent(s)	:	Mr. Amit Kumar Gupta, PP

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

04/08/2026

1. The present bail application has been filed under Section 483 BNSS, 2023 against the order dated 27.05.2026 passed by learned Additional Sessions Judge No.1, Kishangarh, District- Ajmer, in Criminal Misc. Application No. 171/2026, whereby the bail application of the petitioner was rejected in connection with F.I.R. No.138/2026, Police Station-Gandhi Nagar, Distt. Ajmer, for the offences under Section 115(2), 140(2) BNS, 2023.
2. Learned counsel for the petitioner that there are no criminal antecedents of the petitioner of having committed any offences of similar or any other nature in the past. Learned counsel for the petitioner further submits that he has been falsely implicated in the case. He further submits that he has not been named in the FIR.

3. Learned counsel for the petitioner submits that, as per the statement of the victim recorded under Section 180 of the BNS, the petitioner has been implicated merely because the victim stated that the persons who had kidnapped him were addressing each other by these names. Learned counsel for the petitioner also submits that, in his interrogation before the Investigating Officer, the petitioner has specifically stated the entire story contending therein that he had only accompanied co-accused Vivek to Pushkar. While returning from Pushkar, the victim, Imran, was made to sit in the vehicle. Thereafter, the present petitioner was dropped at his residence, and the victim, along with the other accused persons, proceeded further. It is submitted that the petitioner had no role to play in the alleged incident and was merely a passenger in the vehicle along with co-accused Vivek.

4. Learned counsel for the petitioner submits that the investigation/trial will take sufficiently long time and even the offences are triable by Magistrate, and therefore, he prays that the petitioner be enlarged on bail as the accused is in custody since 21.05.2026.

5. Learned Public Prosecutor vehemently opposes the bail application.

6. Heard learned counsel for the petitioner and learned Public Prosecutor and perused the material available on record.

7. Without expressing any opinion on the merits of the case and upon consideration of the arguments advanced that there are no criminal antecedents of the petitioner of having committed any offences of similar or any other nature in the past; investigation/trial will take considerable long time; the petitioner

is in custody since 21.05.2026, perusal of the statement of the victim under Section 180 BNS and the interrogation of the petitioner made by the Investigating Officer, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

8. Consequently, the bail application is **allowed**. It is ordered that the accused-petitioner - **Boby Kumar S/o Shri Dinesh** arrested in connection with F.I.R. No.138/2026, Police Station-Gandhi Nagar, Distt. 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 to appear before that Court on all dates of hearing and as and when called upon to do so till the completion of the trial and with additional following conditions:

- (i) The petitioner shall not leave country without the permission of the Court;*
- (ii) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected; and*
- (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.*

(BIPIN GUPTA),J