

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 10538/2026
URN: CRLMB / 19551U / 2026

Mahendra Bairwa S/o Ramdayal Bairwa, Aged About 24 Years,
R/o Mukandpura, Police Station Khandar, District Sawai
Madhopur At Present Tenant C.k. Bidla School Ke Pichhe, Dusre
Number Ke Gate Ki Gali, Shanti Nagar, Maharani Farm, Police
Station Shipra Path, Jaipur. (At Present Accused Petitioner
Confined In Central Jail Bikaner).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Mohd. Umar Farooq
For Respondent(s)	:	Mr. Shree Ram Dhakar, PP

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI

Order

14/07/2026

The 2nd bail application has been filed under Section 483 B.N.S.S. on behalf of accused-petitioner in the matter arising out of F.I.R. No.448/2025 registered at Police Station Shiprapath, District Jaipur City (South) for the offence(s) punishable under Section(s) 140(3), 103(1) & 3(5) of B.N.S. and Sections 3(1)(r), 3(1)(s) & 3(2)(v) of SC/ST Act.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case, he has nothing to do with the alleged offences and he is behind the bars since 18.07.2025. Counsel further submits that only two witnesses have been examined out of 19 cited prosecution witnesses and there are no

eyewitnesses in the present case, the case is entirely based on circumstantial evidence. Counsel further contends that the complainant namely, Vishnu, initially lodged a written report (Exhibit P-3) on 08.07.2025, wherein none of the accused persons, including the petitioner, was named. The petitioner came to be implicated for the first time only in a subsequent written report lodged by the complainant on 11.07.2025 and no recovery has been effected from the possession of the petitioner and that the prosecution has not placed on record any link evidence to establish the petitioner's involvement in the commission of the alleged offences or to connect him with the crime in question. Trial of the case is likely to take a long time to conclude, till then, his further incarceration would not serve any fruitful purpose and he is ready and willing to furnish his bail bonds. Therefore, the 2nd bail application deserves to be allowed.

Learned Public Prosecutor has vehemently opposed the bail application and contending that the petitioner, along with the other co-accused, committed the murder of the deceased namely, Mithun. Therefore, the 2nd bail application deserves to be dismissed.

Heard learned counsel for the parties and perused the written reports Ex.P-3 & Ex.P-4 & the material made available on record.

Taking into consideration the submissions put forth, evidence adduced during trial and overall facts & circumstances of the case but without commenting upon detailed merits of the case, this Court deems it fit to enlarge the accused-petitioner on bail.

Therefore, the 2nd bail application is **allowed**.

Accused-petitioner, namely **Mahendra Bairwa S/o Ramdayal Bairwa**, shall be released on bail, if he is not required in any other case, provided he furnishes a personal bond in the sum of Rs.50,000/- (Fifty Thousand) together with two sureties in the sum of Rs.25,000/- (Twenty-five Thousand) each to the satisfaction of the learned Trial Court with the stipulation that he shall appear before that Court and any other Court to which the matter is transferred, on all subsequent dates of hearing and as and when he is called upon to do so.

(VINOD KUMAR BHARWANI),J

SAURABH /07