

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 14964/2025
CNR: RJHC020996232025 | URN: CRLMB / 28803U / 2025

Faqrudeen S/o Shri Usman Mohammad, Aged About 22 Years,
R/o 21-36-8 Prabhat Mohalla, Shantinagar, Ajmer. (At Present
Confined In Central Jail, Ajmer).

-----Petitioner

Versus

The State Of Rajasthan, Through Pp

-----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 849/2026
CNR: RJHC020035882026 | URN: CRLMB / 1424U / 2026

Lokesh S/o Shri Heeralal, Aged About 24 Years, R/o Village
Balupura, Police Thana Adarshnagar, Ajmer (Raj.) (Presently
Confined In Central Jail Ajmer).

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

S.B. Criminal Miscellaneous Bail Application No. 1689/2026
CNR: RJHC020078812026 | URN: CRLMB / 2989U / 2026

Ashok Gurjar S/o Shri Ramlal Gurjar, Aged About 24 Years,
Resident Of Gali No. 4, Shivaji Nagar, Village Balupura, Police
Thana Adarshnagar, Ajmer Raj. (Presently Confined In Central
Jail Ajmer)

-----Petitioner

Versus

State Of Rajasthan, Through P.p.

-----Respondent

For Petitioner(s)	:	Mr. Vipin Sharma Mr. Rajkumar Kasana
For Respondent(s)	:	Mr. Amit Kumar Gupta, PP Mr. Abhishek Parashar for the complainant

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment

Date of hearing and conclusion of arguments	07.08.2026
Date on which the judgment was reserved	07.08.2026
Whether the full judgment or only the operative part is pronounced	Full Judgment
Date of pronouncement	11.08.2026

1. The present bail applications have been filed under Section 483 BNSS, 2023 against the orders dated 01.11.2025, 17.11.2025 & 19.01.2026, respectively passed by the learned Additional Sessions Judge (Women Atrocity Cases), Ajmer, in Bail Application (CIS) Nos.1046/2025, 1124/2025 & 91/2026, respectively whereby the bail applications of the petitioners were rejected in connection with F.I.R. No.215/2025, Police Station-Ramganj(Ajmer), District-Ajmer for the offences under Section 103(1), 109(1), 191(2), 191(3), 190, 115(2), 126(2), 333, 189(4), 61(2) & 331(7) of the BNS, 2023 and Section 4/25 of the Arms Act, 1959.

2. Learned counsel for the petitioners submits that the petitioners are in custody since 27.07.2025. They further submits that the petitioners have not been named in the FIR. They also submits that no recovery has been made from the present petitioners and there are no criminal antecedents against the accused-petitioners of having committed any offence of similar nature or any other nature in past. They also submits that there is no incriminating evidence against the petitioners attributing any injury to any deceased or injured persons. They also submits that there are as many as 51 witnesses, and only one witness has been examined in chief till date and the trial will take considerable time

and, therefore, they prays that the petitioners may be enlarged on bail.

3. *Per contra*, learned Public Prosecutor as well as learned counsel for the complainant vehemently oppose the present bail applications.

4. Heard learned counsel for the petitioners, learned Public Prosecutor and learned counsel for the complainant and perused the material available on record.

5. A bare perusal of the charge-sheet and the report available on record clarifies the fact that the First Information Report was recorded on the basis of the statement of the injured on 16.07.2025, making allegations of an incident having taken place on 15.07.2025 at 2.00 P.M., wherein the accused along with other persons had brutally beaten the complainant along with other persons and two persons, namely Imran Qureshi, brother of the complainant and Shehnawaz Qureshi, nephew of the complainant suffered fatal injuries and succumbed to those injuries.

6. The Investigating Agency has charge-sheeted as many as 13 persons, including the present petitioners and still eight persons are absconding.

7. As per the record, the petitioners have been charge-sheeted under Section 103(1), 109(1), 191(2), 191(3), 190, 115(2), 126(2), 333, 189(4), 61(2) and 331(7) of the BNS, 2023. Furthermore, as chief examination of one of the material witnesses has already started and thus, effectively the trial proceedings have begun. However, the remaining material witnesses are still to be examined.

8. This Court on perusal of the record finds that the present is a case of murder of two persons in broad daylight and there is an allegation that all the persons had come with a common intention at the shop of the complainant on account of a dispute regarding the rate of chicken.

9. The presence of the petitioners at the place of incident has *prima facie* been established on the basis of the CCTV footage and the CDR/mobile phone evidence. Therefore, the petitioners have been charge-sheeted for being involved in the incident as part of an unlawful assembly.

10. Without commenting on the merits and demerits of the case, this Court, upon consideration of the fact that the material witnesses are yet to be examined and it is not even a case of long incarceration where the trial is not proceeding; and furthermore, the trial has begun and the material witnesses are yet to be examined; looking to the gravity of the offences, this Court does not deem it appropriate to enlarge the petitioners on bail at this stage, when the material witnesses are still required to be examined.

11. Accordingly, the present bail applications filed under Section 483 BNSS, 2023 are hereby, **dismissed**.

(BIPIN GUPTA),J