RAJASTHAN HIGH COURT
सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 12385/2026
CNR: RJHC010942262026 | URN: CRLMB / 27094U / 2026

Rajasthan High Court
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Suresh Kumar S/o Shri Durgashankar, Aged About 39 Years, R/o Nai Abadi Rajpura, District Pali, (Rajasthan). (Presently Lodged At Sub Jail, Bali, District Pali)

----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor.

----Respondent

For Petitioner(s) : Mr. Ramdev Rajpurohit
For Respondent(s) : Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

09/10/2026

1. The jurisdiction of this Court has been invoked by way of filing an application under Section 483 B.N.S.S. at the instance of accused-applicant. The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	162/2026
2.	Concerned Police Station	Sadri
3.	District	Pali
4.	Offences alleged	85, 115(2),126(2),140 (1)of BNS
5.	Date of passing of impugned order	09.09.2026

2. Learned counsel for the accused-applicant submits that the applicant has been falsely implicated in this case and the investigation against him is complete and he is no more required

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in investigation. He further submits that there are no chance of fleeing of accused-applicant from the jurisdiction of this Hon'ble Court. Learned counsel also submits that the applicant undertake not to repeat offence and cooperate with investigation, which will take time.

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2.1 Learned counsel for the applicant submits that the allegations levelled against him in the FIR are false and arise out of an ongoing matrimonial discord between the parties. It is contended that, as per the complainant-wife's own version, she had been living separately from her husband since April 2026. However, she has alleged that on 17.08.2026, while she was returning to her house, the applicant intercepted her, abducted her, took her to a secluded place and assaulted her.

2.2 Learned counsel submits that the allegation of abduction has been falsely levelled with a view to adding gravity to the offences alleged against the applicant. It is further submitted that the present FIR is a consequence of the ongoing matrimonial discord between the parties, that the applicant has been in custody since 31.08.2026, and that the investigation qua him already stands completed.

3. *Per contra*, learned Public Prosecutor has vehemently opposed the bail application.

4. Heard learned counsel for applicant and learned Public Prosecutor and perused the material placed on record.

5. Having regard to the totality of the facts and circumstances of the case, this Court takes note of the fact that, as per the medical injury report, the injuries sustained by the complainant

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are simple in nature and are not located on any vital part of the body. So far as the allegation of forcible abduction is concerned, the same shall be examined and adjudicated upon during the course of trial, after the evidence is recorded. It is further noted that the remaining offences alleged against the applicant are bailable in nature, the investigation qua the applicant already stands completed, and he has been in custody since 31.08.2026. Further, the trial is likely to take a considerable period of time to conclude.

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In these circumstances, this Court is of the considered view that the continued incarceration of the applicant would not serve any useful purpose. Accordingly, without expressing any opinion on the merits of the case, this Court deems it appropriate to enlarge the applicant on bail at this stage.

6. Accordingly, instant bail application under Section 483 B.N.S. allowed and it is ordered that the applicant– ***Suresh Kumar S/o Shri Durgashankar*** shall be enlarged on bail; provided he furnishes a personal bond in the sum of Rs. 50,000/- with two sureties of Rs. 25,000/- each to the satisfaction of the learned trial Court with the following conditions :

(i) The applicant-accused shall not tamper with evidence or influence the witness in any manner.

(ii) The applicant-accused shall not indulge in any criminal activity and shall not repeat any criminal offence punishable under the law.

(iii) The applicant-accused shall attend the hearing of the Trial Court on the date fixed by the Trial

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Court or as and when asked to appear before the Trial Court.

(iv) In case of any violation of above conditions, the bail granted to the applicant-accused shall be liable to be canceled.

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7. Needless to mention that the above observations made by this Court are on the basis of material so far produced before the Court. They are only prima-facie observation and the same shall however, not come in the way of the trial Court to take independent view of the matter, based on ocular and oral evidence, while finally deciding the case.

(SANJEET PUROHIT),J

40/Yagya Solanki

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