HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Appeal (Sb) No. 1482/2026
CNR: RJHC020596222026 | URN: CRLAS / 2629U / 2026

Kamal Suman @ Kammu S/o Ashok Kumar, Aged About 29 Years, Resident Of House No. 109, Bajrang Nagar, Police Line, Police Station Borkheda, Kota City.
(At Present In Central Jail Kota, District Kota).

----Appellant

Versus

1. State of Rajasthan, through P.P.
2. Rohit Sigor S/o Bholaram, R/o Ladpura Harijan Basti, Pratap Chowk, Kotwali, Kota City, Rajasthan.

----Respondents

For Appellant(s)	:	Mr. Nitin Kumar Sharma
For Respondent(s)	:	Mr. Jaiprakash Tiwari, P.P. Mr. Rajneesh Gupta, for the complainant

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HON'BLE MR. JUSTICE PRAMIL KUMAR MATHUR

Order

04/08/2026

1. This criminal appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter to be referred as 'the SC/ST Act') has been filed on behalf of the appellant being aggrieved with the order dated 23.06.2026 passed by the learned Special Judge, S.C./S.T. (Prevention of Atrocities) Cases, Kota (hereinafter to be referred as 'trial court') in FIR No.425/2025 registered at Police Station Nayapura, District Kota City for the offence under Sections 115(2), 126(2), 109(1) of BNS, 2023 and Section 3(2)(v) of SC/ST Act,

whereby the trial court has dismissed the bail application filed on behalf of the appellant.

2. Heard learned counsel for the appellant and the learned Public Prosecutor as well as learned counsel for the complainant and perused the material available on record.

3. Learned counsel for the appellant submits that the appellant has falsely been implicated in this case. He further submits that as per the FIR and the statement recorded under Section 183 of BNSS, the allegations against the appellant is that he was driving the car in which principal offender Ashu was sitting therein and they chased the motorcycle and opened fire on the complainant. The specific act of firing is attributed to the principal offender Ashu. Appellant is behind the bars since 10.03.2026. Charge-sheet has been filed. Therefore, it is prayed that the appeal presented by the present appellant may be allowed and he may be enlarged on bail.

4. Learned Public Prosecutor as well as learned counsel for the complainant has vehemently opposed the appeal.

5. Learned counsel for the complainant submits that there are five criminal antecedents against the appellant, which are of similar nature and, therefore, the appellant is not entitled to be released on bail.

6. Considering the facts and circumstances of the case and without commenting anything on the merits/demerits of the case, I deem it just and proper to allow the appeal filed by the appellant under Section 14-A(2) of SC/ST Act.

6. Accordingly, this criminal appeal filed under Section 14-A(2) of SC/ST Act is allowed and order dated 23.06.2026 passed by the learned trial court is set aside. It is directed that appellant- **Kamal Suman @ Kammu S/o Ashok Kumar**, shall be released on bail provided he shall execute a personal bond in a sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(PRAMIL KUMAR MATHUR),J

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