HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 10992/2026
CNR: RJHC020661502026 | URN: CRLMB / 20333U / 2026

Deepak Kumar S/o Prakash Chand, R/o House Number 155-A, Talwandi, Near Ganesh Temple, Kota City, Kota (Raj.). (Accused At Present Confined In Central Jail, Kota).

----Accused-Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

----Respondent

For Petitioner(s)	:	Mr. Samarth Sharma
For State	:	Mr. Naresh Gupta, P.P.
For Respondent(s)	:	Mr. Sajid Ali

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

12/08/2026

1. The present bail application has been filed under Section 483 BNSS, 2023 against the order dated 10.07.2026 passed by learned Sessions Judge, Kota (Rajasthan), in Criminal Misc. Case No.1633/2026, whereby the bail application of the petitioner was rejected in connection with F.I.R. No.204/2026, Police Station Gumanpura, District Kota City for the offences under Sections 318(4) and 316(2) of the BNS, 2023.

2. Learned counsel for the petitioner submits that the F.I.R. was lodged after a delay of almost two years and that the petitioner has been falsely implicated in the matter. He submits that the allegation against the petitioner is that he duped the victim by taking Rs. 17,00,000/- and assured repayment with interest at the rate of 5% per month. Learned counsel, however, submits that out

of the total amount of Rs. 17,00,000/-, an amount of Rs. 11,00,000/- has already been repaid to the complainant. He further submits that the delay in filing the F.I.R. demonstrates that, as long as the petitioner was duly repaying the amount, the complainant did not lodge any complaint. However, when the petitioner's financial condition deteriorated and he was unable to repay the remaining amount, the complainant lodged the F.I.R..

3. Learned counsel for the petitioner submits that the challan in the case has already been filed. Moreover, the conclusion of trial will take sufficiently long time and even the offences are triable by a Magistrate, therefore, he prays that the petitioner may be enlarged on bail as the accused is in custody since 04.07.2026 .

4. Learned Public Prosecutor as well as learned counsel appearing for the complainant vehemently opposes the bail application.

5. Heard learned counsel for the petitioner and learned Public Prosecutor and learned counsel appearing for the complainant and perused the material available on record.

6. Without expressing any opinion on the merits of the case and upon consideration of the submissions advanced, and particularly the fact that the challan has been filed; all the offences are triable by Magistrate; the conclusion of trial is likely to take a considerable time; as per record out of Rs.17,00,000/- an amount of around Rs.11,00,000/- has already been returned back; that the F.I.R. was lodged after delay of almost 2 years, this Court is of the opinion that the bail application deserves to be accepted.

7. Consequently, the bail application is **allowed**. It is ordered that the accused-petitioner - **Deepak Kumar S/o Prakash**

Chand arrested in connection with F.I.R. No. 204/2026, Police Station Gumanpura, District Kota City, 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

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