HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 13916/2026
CNR: RJHC020796012026 | URN: CRLMB / 25750U / 2026

Aspak son of Jakir Khan, aged about 29 years, resident of Nagla Kulwana, Police Station Kaman, District Deeg. (At present accused-petitioner confined in Sub Jail Deeg).

----Petitioner

Versus

State of Rajasthan, through P.P.

----Respondent

For Petitioner(s)	:	Mr. Ankit Khandelwal
For Respondent(s)	:	Ms. Arti Sharma, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

28/10/2026

1. This bail application under Section 483 of BNSS has been filed on behalf of the petitioner, who has been arrested in connection with FIR No.394/2026 registered at Police Station Kaman, District Deeg (Raj.) for offences punishable under Sections 319(2), 318(4), 338, 336(3), 340(2), 61(2) & 112(2) of the Bharatiya Nyaya Sanhita, (in short 'BNS') 2023 and Section 66D of the Information Technology (Amendment) Act, 2008. After completion of investigation, police filed charge-sheet in this matter.

2. It is contended by learned counsel for the petitioner that the accused-petitioner has falsely been implicated in this case. Counsel submits alleged offences are triable by Magistrate. Counsel submits that co-accused namely- Hakamdeen and Sohib

have already been granted benefit of bail by the co-ordinate Bench of this Court. It is submitted that there are no criminal antecedents against the petitioner and trial is likely to take considerable time in its conclusion. Counsel contends that the petitioner is in custody since 21.07.2026 and further custody of the petitioner would not serve any fruitful purpose.

3. Learned Public Prosecutor opposes the submissions advanced on behalf of the petitioner. It is submitted that the petitioner is involved in the commission of cyber fraud. It is submitted that one complaint has been registered on the National Cyber Crime Reporting Portal against the mobile number allegedly being used by the petitioner. As per the said complaint, an alleged fraud of Rs.700/- is attributed to the petitioner. She submits that considering the nature and gravity of offence, benefit of bail may not be extended to the petitioner.

4. I have considered the contentions.

5. Having regard to the totality of the facts and circumstances of the case; considering the arguments advanced by learned counsel for the petitioner, especially considering the material available on record in the form of charge-sheet, as also the amount involved in the alleged offence, so also the fact that aforesaid co-accused persons have already been granted benefit of bail by the co-ordinate Bench of this Court; alleged offences are triable by Magistrate; there are no criminal antecedents against the petitioner and trial is likely to take considerable time in its conclusion as well as looking to the period of custody, but without

commenting anything on the merits/demerits of the case, this Court deems it fit and proper to allow the bail application.

6. This bail application is accordingly allowed and it is directed that accused-petitioner- **Aspak son of Jakir Khan** shall be released on bail provided he furnishes a personal bond in the sum of Rs.1,00,000/- together with two sureties in the sum of Rs.50,000/- each to the satisfaction of the learned Trial Court with the stipulation that he shall appear before that Court and any Court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

7. Considering the nature of the allegations, it is made clear that the petitioner shall abide by the following conditions:-

(i) that he shall not involve in any other offence during currency of the bail application and he shall mark his presence once in every fifteen days in the concerned police station till December, 2027.
(ii) that he shall, within fifteen days from today, file an affidavit before the learned trial Court/the Investigating Officer disclosing the details of all his movable and immovable assets, including land, buildings, vehicles, deposits, investments, all bank accounts, digital wallets, UPI IDs and cryptocurrency holdings, which are alleged to have been used in the commission of the offence or which stand in his name;
(iii) that he shall submit to the Investigating Officer the complete transaction statements of all his active bank accounts, UPI IDs and digital payment instruments after every thirty days, till the trial is concluded;
(iv) that he shall not obtain/use any new SIM card or mobile phone, or open any new bank account, without prior intimation to the Investigating Officer;
(v) that he shall surrender his passport, if any, before the learned trial Court immediately after being released on bail, and shall not leave India without the prior permission of the learned trial Court;

(vi) that he shall not use any Virtual Private Network (VPN), TOR Browser, Proxy Server or any other form of anonymous network or identity masking technology without the permission of the Investigating Officer;
(vii) that he shall, within fifteen days of release on bail, submit to the Investigating Officer a comprehensive list of all electronic devices in his possession, including mobile phones, laptops, tablets, external hard disks and pen drives, along with their IMEI numbers and serial numbers;
(viii) that he shall provide to the Investigating Officer the details of all social media accounts, e-mail accounts, domain registrations, websites and online platforms operated or used by him;
(ix) that he shall not create any social media account in the name of any person, or any domain name or website, without prior intimation to the Investigating Officer;
(x) that, in case of any change of residential address, he shall immediately inform the Investigating Officer as well as the learned trial Court;
(xi) that he shall appear before the Investigating Officer whenever called upon and shall fully co-operate with the investigation;
(xii) that he shall not tamper with the evidence, influence the witnesses or attempt to obstruct the investigation in any manner whatsoever.

8. Concerned SHO shall enter attendance of the petitioner in the Roznamcha. In case the petitioner fails to mark his presence in the concerned police station, the concerned SHO is directed to immediately report the matter to the concerned Court in this regard.

9. Any breach of the above conditions, or failure to provide the above information or such other information as may be desired by the Investigating Officer, shall be treated as a violation of the bail conditions and shall alone be a reason for the trial Court to cancel the bail. The Investigating Officer/S.H.O. shall report such default

to the learned trial Court and the learned Public Prosecutor shall be at liberty to move an application for cancellation of bail.

10. The petitioner is further directed not to take undue advantage of the liberty or misuse it. In case he is found to be involved in any similar case, this bail shall stand cancelled without further reference to this Court.

11. The observations made hereinabove are only for decision of the instant bail application and would not have any impact on the trial of the case in any manner.

(ANIL KUMAR UPMAN),J

21/LALIT MOHAN