HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Second Bail Application No. 15574/2026
CNR: RJHC020959732026 | URN: CRLMB / 28758U / 2026

Omprakash Alias Prakash S/o Balaji, R/o Aadibad, Police Station Gendoli, District Bundi (Raj.) (At Present Accused Confined In District Jail Bundi).

----Accused-Petitioner

Versus

State of Rajasthan, Through Public Prosecutor

----Respondent

For Petitioner(s)	:	Mr. Dushyant Singh Naruka
For Respondent(s)	:	Mr. Jaiprakash Tiwari, PP

HON'BLE MRS. JUSTICE SANGEETA SHARMA

Order

30/10/2026

1. The instant second bail application has been filed against the order of the learned trial Court dated 23.09.2026 on behalf of the accused-petitioner under Section 483 of BNSS in connection with FIR No. 130/2025 registered at Police Station Gendoli, District Bundi for the offence(s) punishable under Sections 115(2), 126(2) and 3(5) of BNS.

2. Learned counsel for the accused-petitioner submits that the accused-petitioner has been falsely implicated in this case; that the accused-petitioner is in custody since long; that charge-sheet has already been filed; that injured, his wife and doctor have already been examined; that the injury i.e., opined as dangerous to life is alleged to be inflicted by the accused-petitioner but during the course of trial, injured and his wife has retracted from

their statements; that there are no criminal antecedents registered against the accused-petitioner and conclusion of trial will take its own time, so no fruitful purpose would be served by keeping the accused-petitioner behind the bars and, therefore, prays that the accused-petitioner may be granted the benefit of bail under Section 483 of BNSS.

3. *Per contra*, learned Public Prosecutor vehemently opposes the submissions put forth by learned counsel for the accused-petitioner hereinabove but did not dispute the fact that there are no criminal antecedents registered against the accused-petitioner.

4. Having regard to the totality of the facts and circumstances of the case and material available on record. Keeping in view the fact that the accused-petitioner is in custody since 28.01.2026; that the injured and his wife in their statements recorded during trial have stated that the injury i.e., opined to be dangerous to life has not been inflicted by the accused-petitioner; that charge-sheet against the accused-petitioner has already been filed; that there are no criminal antecedents registered against the accused-petitioner; that trial will take its own time. Hence, this Court without expressing any opinion on the merits/demerits of the case, deems it just and proper to enlarge the accused-petitioner on bail.

5. Therefore, the instant second bail application under Section 483 BNSS is accordingly, **allowed** and the accused-petitioner **Omprakash Alias Prakash S/o Balaji** is ordered to be released on bail, provided he furnishes a personal bond in the sum of Rs. 1,00,000/- with two sureties of Rs. 50,000/- each to the satisfaction of the 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.

6. It is made clear that the accused-petitioner shall not involve himself in any offence(s) during currency of the bail.

7. In case of any breach of the aforementioned condition, the learned Public Prosecutor shall be free to move the application against the accused-petitioner for cancellation of the bail before the concerned Court.

8. The observation made hereinabove is only for decision of the instant bail application and would not have any impact on the trial of the case in any manner.

9. Office is directed to send a copy of this order to the concerned trial Court and Jail Authorities through e-mail/fax, for necessary compliance.

(SANGEETA SHARMA),J

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