HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 16211/2026
CNR: RJHC020998152026 | URN: CRLMB / 29999U / 2026

Harsh S/o Shri Kamlesh, aged about 23 years, Resident of Purana(Old) Phulera, Police Station Phulera, District Jaipur Rural Rajasthan. (Presently confined in Judicial Custody at Sub-Jail, Sambhar Lake/ Central Jail, Jaipur).

----Petitioner

Versus

The State of Rajasthan, Through the Public Prosecutor, High Court of Rajasthan, Jaipur Bench, Jaipur.

----Respondent

For Petitioner(s)	:	Mr. Vipul Saxena with Mr. Ronak Prajapat
For Respondent(s)	:	Mr. Vivek Sharma, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

17/11/2026

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.15/2026 registered at Police Station Phulera, District Jaipur Rural (Raj.) for offences punishable under Sections 318(4) & 316(2) of the Bharatiya Nyaya Sanhita, (in short 'BNS') 2023 and Section 66D of 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. It is submitted that the alleged offences are triable by Magistrate. It is submitted that the bank account of the petitioner was being

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misused by some other person, for which, FIR No.180/2025 was lodged by the petitioner's mother at Police Station Phulera, District Jaipur Rural. Counsel submits that in the said FIR, the police submitted negative final report and, against the said negative final report, an application was submitted by the petitioner's mother before the concerned Magistrate. Counsel submits that thereafter, the learned Magistrate directed the Investigating Agency to conduct further investigation. Counsel submits that the investigation in the said FIR is still on going. Counsel submits that in the present case, it appears from the charge-sheet that eleven complaints have been registered on the National Cyber Crime Reporting Portal against the bank account allegedly being used by the petitioner. According to the said complaints, a total disputed amount of Rs.4,62,949/- has been deposited into the said bank account. It also emerges from the charge-sheet that the said account was opened on 18.01.2025 and till March 2025, a total sum of Rs.17,53,222.35/- had been deposited in the said bank account. It is submitted that there is no criminal antecedent against the petitioner and trial is likely to take considerable time in its conclusion. He argues that the petitioner is in custody since 24.09.2026 and further custody of the petitioner would ruin his entire career.

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 and several complaints have been registered on the National Cyber Crime Reporting Portal against the bank account allegedly being used by the petitioner.

Counsel thus, prays that looking to 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 fact that alleged offences are triable by Magistrate, so also considering the fact that an FIR has also been lodged by the petitioner's mother with regard to the misuse of petitioner's bank account, further considering that there is no criminal antecedent 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- **Harsh S/o Shri Kamlesh** 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 in first week of every month in the concerned police station till conclusion of trial.
(ii) 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;
(iii) 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;
(iv) 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;
(v) that, in case of any change of residential address, he shall immediately inform the Investigating Officer as well as the learned trial Court;
(vi) that he shall not tamper with the evidence, influence the witnesses or attempt to obstruct the investigation in any manner whatsoever.
(vii) that he shall not take undue advantage of the liberty or misuse it.

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 granted to the petitioner by this Court. 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. Office is directed to send a copy of this order to the concerned SHO for necessary compliance.

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

150(s)/LALIT MOHAN