HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Appeal (Sb) No. 1036/2026
CNR: RJHC010533042026 | URN: CRLAS / 2323U / 2026

Kshetrapal Singh S/o Sumer Singh, Aged About 25 Years, Resident Of Fatehpuriya Doyam, Police Station Saket Nagar, District Beawar, Rajasthan. (Presently Lodged In District Jail, Beawar)

----Appellant

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. Smt. Arti W/o Narendra, Aged About 26 Years, Resident Of Kolpura, Police Station Raas, District Beawar, Rajasthan

----Respondents

For Appellant(s) : Mr. Awar Dan Ujjwal
For Respondent(s) : Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

07/08/2026

1. The jurisdiction of this Court has been invoked by way of filing an appeal under Section 14-A(2) of SC/ST (Prevention of Atrocities) Act, 1989, at the instance of accused-appellant. The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	237/2025 dated 27.12.2025
2.	Concerned Police Station	RAS
3.	District	Bewar
4.	Offences alleged in the FIR	Sections 140(3), 70(1), 61(2), 64(2)(m) and 351(2) and Sections 3(1)(w)(i) and 3(2)(va) of SC/ST Act
5.	Offences added, if any	Sections 3(1)(w)(ii) and

		3(2)(v)(vs) of SC/ST Act
6.	Date of passing of impugned order	27.04.2026

2. Learned counsel for the appellant submits that no case for the alleged offences is made out against the appellant and his incarceration is not warranted. There are no factors at play in the case at hand that may work against grant of bail to the accused-appellant and he has been made an accused based on conjectures and surmises.

2.1 He further submits that the principal allegation is against co-accused Ajay @ Raj @ Kharghosh and there is neither any medical evidence or any other supporting evidence indicating commission of sexual assault by the present petitioner. There is a delay of about one month in the lodging the FIR.

2.2 Based on these submissions, it is argued that the appellant, who is in judicial custody since 01.01.2026, is entitled to be enlarged on bail as the trial will take sufficiently long time to conclude.

3. Contrary to the submissions of learned counsel for the appellants, learned Public Prosecutor opposes the appeal and submits that the present case is not fit for enlargement of accused on bail.

4. Heard learned counsel for the appellant and learned Public Prosecutor and perused the material available on record.

5. Considering the submissions made by learned counsel for both the parties; the facts and circumstances of the case; the challan papers and the fact that the principal allegation

is against the co-accused Ajay @ Raj @ Kharghosh; there is delay of about one month in lodging the FIR and there is neither any medical evidence nor any other supporting evidence indicating commission of sexual assault, this Court is of the considered view that no fruitful purpose would be served by keeping the appellant behind bars for an indefinite period. Thus, without expressing any opinion on merits/demerits of the case, this Court is of the opinion that the appeal filed by the appellant deserves to be allowed.

6. Consequently, the instant appeal is allowed. The impugned order dated 27.04.2026 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Beawar is set aside. It is ordered that the accused-appellant**- Kshetrapal Singh S/o Sumer Singh** arrested in connection with aforesaid FIR**,** shall be released on bail, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs. 25,000/- 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.

7. It is however, made clear that findings recorded/observations made above are for limited purposes of adjudication of bail application. The trial court shall not get prejudiced by the same.

(SUNIL BENIWAL),J

65/Abhishek kushwaha