HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 7840/2026
CNR: RJHC010579782026 | URN: CRLMB / 17197U / 2026

Pushkar S/o Shri Shankar Lal, Aged About 19 Years, R/o Mevda Colony P.s. Kapasan District Chittorgarh (Presently Lodged In District Jail Chittorgarh.)

----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Uday Lal S/o Sharwan Lal, R/o Bhavnath Khedi, P.s. Bhadesar Dist. Chittorgarh

----Respondents

For Petitioner(s)	:	Ms. Maya Goswami
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP Mr. Bhatraj Jogsan

---

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

07/08/2026

1. This application for bail has been filed by the petitioner under Section 483 of BNSS (old Section 439 of Cr.P.C.). The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	10/2026
2.	Date of lodging FIR	17.01.2026
3.	Concerned Police Station	Bhadesar
4.	District	Chittorgarh
5.	Offences alleged in the FIR	Sections 137(2) and 3(5) of BNS, 2023
6.	Offences added, if any	Sections 64(2)(m) of BNS and Sections 3 / 4, 5(l), 6 of POCSO Act

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case and false allegations have been levelled against him. He submits that the petitioner was aged about 19 years and the age of the victim was 16 years on the date of incident. Although allegation of sexual assault was levelled against the present petitioner in the FIR, however, in the Court statement, victim (PW-3) has clearly denied any such incident as narrated in the FIR. While referring to the statement of PW-3, learned counsel submits that the victim has turned hostile. The statement of father came to be recorded as PW-1 and that of the mother as PW-2 and they too have turned hostile. The petitioner is in judicial custody since 27.02.2026 and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

3. Learned Public Prosecutor vehemently opposes this bail application.

4. Learned counsel appearing for the complainant submits that the present FIR was lodged on account of some misunderstanding and as a matter of fact, no incident as narrated in the FIR has actually occurred. He further submits that the victim as well as her parents have turned hostile and he has no objection if the petitioner is enlarged on bail.

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

6. Having considered the rival submissions, facts and circumstances of this case and after perusing the challan papers and the statements of PW-1, PW-2 and PW-3 so also considering

the fact that victim and her parents have turned hostile and counsel for the complainant has not opposed the bail application and that the prosecution has not expressed any apprehension qua the petitioner fleeing away from justice, in case he is enlarged on bail, in the considered opinion of this Court, no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period as the trial will take sufficiently long time. Thus, without expressing any opinion on merits/demerits of the case, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

7. Accordingly, the bail application filed under Section 483 of BNSS is allowed. It is ordered that petitioner- **Pushkar S/o Shri Shankar Lal** shall be released on bail in connection with the aforesaid FIR; provided he executes personal bond in the sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- each to the satisfaction of learned trial Court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

8. 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

82/Amar Purohit