HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 9102/2026
CNR: RJHC010645772026 | URN: CRLMB / 19741U / 2026

1. Gorkha Ram S/o Samira Ram, Aged About 31 Years, R/o Gadiyafali, Gadiya, Police Station Pindwara, Dist. Sirohi. (Petitioner Confined In Sirohi Jail)
2. Sita Ram S/o Samira Ram, Aged About 33 Years, R/o Gadiyafali, Gadiya, Police Station Pindwara, Dist. Sirohi. (Petitioner Confined In Sirohi Jail)

----Petitioners

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Jay Prakash Bhardwaj
For Respondent(s)	:	Mr. Surendra Bishnoi, PP

HON'BLE MR. JUSTICE SANDEEP SHAH

Order

10/08/2026

1. The applicants have filed the present bail application under Section 483 of BNSS being aggrieved against the order dated 02.07.2026 passed by the learned Additional District and Sessions Judge, Pindwara, District Sirohi in Criminal Miscellaneous Case No.167/2026, whereby the bail application filed by the accused-applicants under Section 483 of B.N.S.S. was rejected. The accused-applicants are behind the bars, pursuant to the F.I.R. No.142/2026 registered at Police Station Pindwara, Sirohi, for the offences punishable under Sections 115(2), 126(2), 109(1) and 3 (5) of the BNS, 2023.

2. Learned counsel for the applicants submits that as per the FIR, the incident in question was rather an accident. He further submits that an exaggerated version has been given in the FIR. He also refers to the injury report to emphasize that as far as complainant Sigari Devi is concerned, all the injuries were found to be simple in nature. As far as the injuries sustained by her seven year old son - Rohit, and her husband - Mona Ram are concerned, only one injury was found to be grievous in nature. He further submits that the allegation levelled is under Section 325 IPC only and no allegation under Section 307 IPC is made out. He further submits that in the absence of any injury being dangerous to life and looking to site and nature of injury, the offence does not travel beyond Section 325 IPC. He further submits that the charge-sheet has already been filed and the trial of the case will take sufficiently long time to conclude. He, therefore, implores this Court to allow the present Criminal Miscellaneous Bail Application.

3. *Per contra*, learned Public Prosecutor opposes the bail application and submits that considering the nature of the offence, the applicants do not deserve to be enlarged on bail.

4. Heard learned counsel for the parties and perused the material available on record.

5. Having considered the arguments advanced by both sides and having regard to the facts and circumstances of the case, including the fact that as per the FIR itself, an accident, though alleged to have been caused purposely, had occurred and thereafter the injuries had been sustained, as also considering nature of the injuries sustained, one of which (on injured Rohit

and Mona Ram), have been stated to be grievous but not dangerous to life, the fact that the charge-sheet has already been filed and the trial of the case will take sufficiently long to conclude, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the accused-applicants on bail.

6. Consequently, the bail application under Section 483 B.N.S.S. is **allowed**. It is ordered that the accused-applicants; **(1) Gorkha Ram S/o Samira Ram & (2) Sita Ram S/o Samira Ram** arrested in connection with F.I.R. No.142/2026 registered at Police Station Pindwara, Sirohi, shall be released on bail, if not wanted in any other case, provided each of them furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned Trial Court, for their appearance before that Court on each & every date of hearing and whenever called upon to do so till completion of the trial.

7. It is further, made clear that findings recorded/observations made herein-above are for limited purposes of adjudication of bail application and the same shall not prejudice the trial of the case in any manner.

(SANDEEP SHAH),J

20/Charul Gakhar