HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 9370/2026
CNR: RJHC010675652026 | URN: CRLMB / 20397U / 2026

Mahendra Kumar Meena S/o Pyare Lal Meena, Aged About 27 Years, Urna Police Station Shakargarh District Bhilwara (Lodged In Dist. Jail Bhilwara)

----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Chagan Lal S/o Damaram Meena, Aged About 50 Years, Chatarbhujpura Bai Police Station Shakargarh District Bhilwra Rajasthan

----Respondents

For Petitioner(s)	:	Mr. Sahee Ram Mr. Shailendra Gwala
For Respondent(s)	:	Mr. Urja Ram Kalbi,

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

04/08/2026

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	18/2026
2.	Date of lodging FIR	11.02.2026
3.	Concerned Police Station	Shakhargarh
4.	District	Bhilwara
5.	Offences alleged in the FIR	Sections 137(2) of the BNS, 2023
6.	Offences added, if any	Sections 96, 127(3), 64(1), 70(2), 64(2)(m) and 87 of BNS, 2023 and Sections 3/4, 5(g)/6 and 5(l)/6 of POCSO Act

2. At the outset, learned Public Prosecutor submits that notice upon the respondent No.2 has been served but nobody appeared on her behalf.

3. 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 further submits that as a matter of fact, no offence as alleged in the FIR has been committed by the present petitioner. He submits that in examination-in-chief the victim (PW-1) has deposed that the petitioner did not commit sexual assault. Though in the cross-examination she has deposed that despite her protest, the present petitioner forcefully assaulted her when she was taken by him in a hotel at Salawtiya, however, in later part of cross-examination, she specifically denied to have gone to any hotel at Salawtiya.

3.1. The petitioner is in judicial custody since 18.02.2026 and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

4. Learned Public Prosecutor vehemently opposes this bail application.

5. Heard learned counsel for the parties 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 so also considering the statement of victim recorded before the trial court as PW-1; the fact that the victim has not levelled allegation of sexual assault against the present petitioner in her examination-in-chief; in the cross-examination she has deposed

that despite her protest, the present petitioner forcefully assaulted her when she was taken by him in a hotel at Salawtiya, however, in later part of cross-examination, she specifically denied to have gone to any hotel at Salawtiya 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- **Mahendra Kumar Meena S/o Pyare Lal Meena,** 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

83/Amar Purohit