

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 9893/2026
CNR: RJHC010719572026 | URN: CRLMB / 21629U / 2026

Kuldeep S/o Kishan Lal, Aged About 20 Years, Resident Of Borda,
Police Thana Gangrar, District Chittorgarh, (Raj).(Presently
Lodged At District Jail Chittorgarh)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s) : Mr. JVS Deora
For Respondent(s) : Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE SUNIL BENIWAL

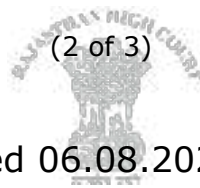
Order

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	140/2026
2.	Date of lodging FIR	24.03.2026
3.	Concerned Police Station	Chittorgarh
4.	District	Chittorgarh
5.	Offences alleged in the FIR	Section 137(2) BNS
6.	Offences added, if any	Sections 64(1), 87, 127(2) of BNS and Section 3/4 of the POCSO Act)

2. Learned Public Prosecutor submits a status report dated 06.08.2026, wherein it has been reported that the notice issued to respondent No.2 has been duly served. Therefore, service upon respondent No.2 is complete.



3. The status report dated 06.08.2026 is taken on record.

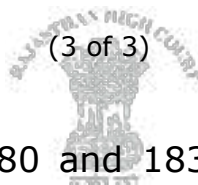
4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case and false allegations have been levelled against him. The petitioner was aged about 20 years and the victim was aged about 17 years and 9 days at the time of the alleged incident.

4.1 Learned counsel further submits that though allegations of sexual assault were made by the victim in her statements recorded under Sections 180 and 183 of the BNSS, however, in the statement recorded before the learned trial Court, she categorically denied that any sexual assault had been committed by the petitioner. He further submits that the victim has specifically deposed that no such incident, as alleged in the FIR, had ever taken place. He also submits that both father and mother of the victim have been examined before the trial Court and they have turned hostile. The petitioner is in judicial custody and the trial will take sufficiently long time, therefore, he deserves to be enlarged on bail.

5. Learned Public Prosecutor vehemently opposes this bail application, however, not in a position to refute the fact that the victim as well as parents turned hostile.

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

7. Having considered the rival submissions, facts and circumstances of this case and after perusing the challan papers so also considering the fact that though the allegations of sexual assault were initially levelled in the statements of the victim



recorded under Sections 180 and 183 of the BNSS, however, in the statement recorded before the learned trial Court, the victim has categorically denied any act of sexual assault by the petitioner and has stated that no such incident, as alleged in the FIR, had taken place; the parents of the victim have also turned hostile 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.

8. Accordingly, the bail application filed under Section 483 of BNSS is allowed. It is ordered that petitioner- **Kuldeep S/o Kishan 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.

9. 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