HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 9844/2026
CNR: RJHC010734582026 | URN: CRLMB / 21524U / 2026

Sikander Khan S/o Rais Mohammed, Aged About 30 Years, R/o Hussain Chowk Kali Kalyan Dham, Banswara, At Present On Rent At Abdullapeer Dargah Ke Samen Wali Gali, Indira Colony, District Banswara Raj. (Presently Lodged At District Jail Banswara)

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s) : Mr. Hitendra Singh
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	172/2026
2.	Date of lodging FIR	01.07.2026
3.	Concerned Police Station	Garhi
4.	District	Banswara
5.	Offences alleged in the FIR	Sections 140(1), 305(a) and 61(2)(a) of the BNS
6.	Offences added, if any	--

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. Learned counsel submits that though

the allegation of abduction has been levelled against the present petitioner, however, a plain reading of the FIR indicates that the complainant had himself taken a lift in the petitioner's vehicle to be dropped at Himmat Nagar, therefore, it does not disclose any act of abduction by the petitioner. There are no criminal antecedents against the present petitioner and no recovery is to be made from him. The petitioner is in judicial custody since 05.07.2026 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. Heard learned counsel for the petitioner and learned Public Prosecutor and perused the material available on record.

5. Having considered the rival submissions, facts and circumstances of this case and after perusing the case diary so also considering the fact that a plain reading of the FIR indicates that the complainant had himself taken a lift in the petitioner's vehicle to be dropped at Himmat Nagar; there are no criminal antecedents against the present petitioner and no recovery is to be made from him; 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.

6. Accordingly, the bail application filed under Section 483 of BNSS is allowed. It is ordered that petitioner- **Sikander Khan S/o Rais Mohammed** 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.

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

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