HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 10336/2026
CNR: RJHC010782322026 | URN: CRLMB / 22635U / 2026

Ramjilal S/o Poonamchand Harijan, Aged About 19 Years, Resident Of Nai Abadi Shambhupura Police Station Shambhupura District Chittorgarh Rajasthan (At Present Lodged In District Jail Chittorgarh)

----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Nisha S/o Kailash, Resident of Taswariya At Present Gujaria Kheda Police Station Kapasan District Chittorgarh Rajasthan

----Respondents

For Petitioner(s)	:	Mr. Kuldeep Sharma
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP
For Complainant	:	Mrs. Sumeha Kalla

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	134/2024
2.	Date of lodging FIR	26.04.2024
3.	Concerned Police Station	Kapasan
4.	District	Chittorgarh
5.	Offences alleged in the FIR	Section 363 of IPC
6.	Offences added, if any	Sections 366, 376(2)(i) of the IPC and Section and Sections 3/4 and 5/6 of the 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. The petitioner is aged about 19 years. He further submits that though it is stated that the victim was aged about 16 years, however, as a matter of fact she was major at the time of the incident. He further submits that there is no allegation of any forceful act on the part of the petitioner. The petitioner is in judicial custody since 04.03.2026 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 for the complainant submits that the FIR was lodged on account of misunderstanding. She further submits that the victim was major on the date of the alleged incidents and has no objection if bail is granted. She further submits that victim is residing at the resident of the petitioner.

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 so also considering the fact that the victim disputes the recorded date of birth and does not admit that she was a minor on date of alleged incident; the victim (respondent No.2) has appeared before this Court and has not opposed the present application and the petitioner and victim are in adolescent; age 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- **Ramjilal S/o Poonamchand Harijan** 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

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