



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail Application No. 5686/2026
CNR: RJHC020341672026 | URN: CRLMB / 10142U / 2026

Rekha Tripathi D/o Krishankant Tripathi, Aged About 51 Years, R/
o Gauri Lakkha, Gaur Bhagwantpur, Kanpur Nagar (U.p.)
-----Petitioner

Versus

The State of Rajasthan, Through PP
-----Respondent

For Petitioner(s) : Mr. Virendra Singh, Adv.
Mr. Ankur Singh Tomar, Adv.
For Respondent(s) : Mr. Jitendra Singh Rathore, P.P.

HON'BLE MR. JUSTICE FARJAND ALI

Order

25/09/2026

1. The jurisdiction of this Court has been invoked by way of filing an application under Section 482 of BNSS at the instance of accused-petitioner. The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	211/2011
2.	Concerned Police Station	Sindhi Camp
3.	District	Jaipur City (South)
4.	Offences alleged in the FIR	under Section- 3, 4, 5, 6 of Prize Chits & Money Circulation Schemes (Banning) Act, 1978.
5.	Offences added, if any	-
6.	Date of passing of impugned order	02.04.2026

3. Having apprehension of being arrested in the afore-mentioned matter, the petitioner has prayed for anticipatory bail on the ground that no case for the alleged offences is made out



against him and his incarceration is not warranted. There are no factors at play in the case at hand that may work against grant of anticipatory bail to the accused-petitioner and he has been made an accused based on conjectures and surmises.

4. Contrary to the submissions of learned counsel for the petitioner, learned Public Prosecutor as well as learned counsel for the complainant oppose the anticipatory bail application and submit that the present case is not fit for grant of anticipatory bail.

5. I have considered the submissions made by both the parties and have perused the material available on record. I have gone through the contents of the FIR and the other material. As per the recital made in the FIR, there is no direct allegation against the petitioner of inducing the victim to part with his money. Rather, it was Ajay Mishra and others who are alleged to have done so. It is not the case of the prosecution that the victim, upon being induced by the petitioner with dishonest intention, invested money and thereby suffered any loss. Be that as it may, the co-accused Alok Tripathi has been released on regular bail. Thus, it can be reasonably presumed that, upon being arrested, the petitioner would also be released. Then a question would arise as to why a lady should be directed to first go to jail and then to seek bail.

6. While pondering over the necessity of inserting a provision for anticipatory bail, the Law Commission, in its 41st Report, deliberated upon this aspect as well, and thus, the provision of anticipatory bail was introduced. Otherwise also, the petitioner is a lady and there is a special provision under the Code to take a



lenient view with regard to her release. Thus, considering the overall facts and circumstances of the case, particularly the fact that her custodial interrogation is not required, it is deemed suitable to grant the benefit of anticipatory bail to the petitioner in the present matter. Needless to say, none of the observations made hereinunder shall affect the rights of either of the parties during trial and this Court refrains from commenting on the niceties of the matter.

7. Accordingly, the instant bail application under Section 482 of BNSS is allowed. The S.H.O/I.O/Arresting Officer, Police Station Sindhi Camp, District Jaipur City (South) in F.I.R. No. 211/2011 is directed that in the event of arrest of the petitioner, she shall be released on bail, provided she furnishes a personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs.25,000/- each to the satisfaction of the S.H.O/I.O/Arresting Officer of the concerned Police Station on the following conditions:-

- (i) that the petitioner shall make herself available for interrogation by a police officer as and when required;
- (ii) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or any police officer, and
- (iii) that the petitioner shall not leave India without previous permission of the Court.

(FARJAND ALI),J

25/YOGESH KUMAR