
(2020) 09 RAJ CK 0008

In the Rajasthan High Court

Case No : Criminal Miscellaneous IInd Bail Application No. 8495, 9611 Of 2020

Ajay Singh

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 04-09-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 392, 427

Arms Act, 1959 — Section 3, 25

Citation : (2020) 09 RAJ CK 0008

Hon'ble Judges : Prakash Gupta, J

Bench : Single Bench

Advocate : Dr. Mahesh Sharma, Vidhut Gupta, Prashant Sharma

Final Decision : Allowed

Judgement

These IInd bail applications have been filed by the petitioners under Section 439 CrPC seeking regular bail in FIR No. 332/2019 registered at Police Station, Ajitgarh, District Sikar for the offence under Sections 392, 427 IPC and Section 3/25 of Arms Act.

Learned counsel for the petitioners submits that although three other cases were registered against the petitioner(s), but in one case, they have been granted bail by the Coordinate Bench of this Court. They further submit that in rest of the two cases accused Ajay Singh and in one case, accused Vijaypal @ Dalla, has been granted bail by the trial court. They further submit that earlier bail applications filed by the petitioners were dismissed by this Court vide order dated 18.5.2020. Subsequently, Balveer Singh @ Fauji, who is the main accused in this case and against whom 10 cases were said to be pending, has been granted bail by the Coordinate Bench of this Court vide order dated 22.7.2020 in S.B. Cr. Misc. Bail Application No. 7492/2020. In this way, the petitioners' case is on better footing than that of co-accused, who has been granted bail. They further submit that after investigation, challan has been filed and the conclusion of the trial is likely

to take long time, hence they may be enlarged on bail.

Learned PP appearing for the State has opposed the same.

Considering the submissions of learned counsel for the parties and taking into consideration the overall facts and circumstances of the case, more particularly in view of the fact that co-accused Balveer Singh @ Fauji, against whom 10 cases were said to be pending, has been granted bail by the Coordinate Bench of this Court vide order dated 22.7.2020 in S.B. Cr. Misc. Bail Application No. 7492/2020, but without expressing any opinion on the merits and demerits of the case, I deem it just and proper to enlarge the petitioners on bail.

Therefore, these IInd bail applications are allowed and accused petitioners (1) Ajay Singh S/o Jaswant Singh; and (2) Vijaypal @ Dalla S/o Sagarmal are ordered to be released on bail provided each of them furnishes a personal bond in the sum of Rs. 50,000/- with two sureties of Rs.25,000/- each before the trial court, subject to its satisfaction, with the stipulation that the petitioners shall appear before that court on all subsequent dates of hearing and as and when called upon to do so.

Registry is directed to place a copy of this order in connected file.