

**(2017) 06 RAJ CK 0046**  
**In the Rajasthan High Court**  
**Case No : 8047 of 2017**

|                                          |            |
|------------------------------------------|------------|
| Avtar Singh S/o Balveer Singh B/c Gurjar | APPELLANT  |
| Vs                                       |            |
| State of Rajasthan Through P.P.          | RESPONDENT |

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**Date of Decision :** 12-06-2017

**Acts Referred:**

<a href=3863>Code of Criminal Procedure, 1973</a>, <a href=3863-439>Section 439</a> - Special powers of High Court or Court of Session regarding bail  
<a href=1767>Indian Penal Code, 1860</a>, <a href=1767-395>Section 395</a>,  
<a href=1767-365>S

**Citation :** (2017) 06 RAJ CK 0046

**Hon'ble Judges :** Ramchandra Singh Jhala

**Bench :** SINGLE BENCH

**Advocate :** Ankit Khandelwal, Rahul? Tiwari, R.S. Shekhawat

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## Judgement

1. This bail application has been filed under Section 439 CrPC in connection with FIR No.374/2016 registered at Police Station Bhiwadi Phase-III, District Alwar for the offence under Sections 365 and 395 IPC.
2. Learned counsel for the petitioner has contended that the petitioner has falsely been implicated in the matter. He has further contended that co-accused has been released on bail. He is in judicial lock up since long and conclusion of trial will take time. Hence he should be released on bail.
3. Learned Public Prosecutor has opposed the bail application.

4. Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the State and carefully perused the relevant material made available on record.

5. Looking to the overall facts and circumstances of the case, but without expressing any opinion on the merits and demerits of the case, I deem just and proper to enlarge the petitioner on bail.

6. Therefore, this bail application is allowed and it is directed that accused petitioner Avtar Singh S/o Balveer Singh shall be released on bail under Section 439 CrPC in connection with aforesaid FIR provided he furnishes a personal bond of Rs.50,000/- with two sureties of Rs.25,000/- to the satisfaction of the trial court with the stipulation that he shall appear before that Court on all subsequent dates of hearing and as and when called upon to do so.