

(2020) 12 RAJ CK 0046

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 10906, 11169, 11564,
12891 Of 2020

Basanti Lal

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 08-12-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 344, 363, 366-A, 370(4), 498A
Juvenile Justice Act (Care and Protection) Act 2015 — Section 75, 81
Prohibition of Child Marriage Act 2006 — Section 9, 10, 11
Protection of Children from Sexual Offences Act, 2012 — Section 5, 6, 16, 17

Citation : (2020) 12 RAJ CK 0046

Hon'ble Judges : Vinit Kumar Mathur, J

Bench : Single Bench

Advocate : PK Gupta, KP Raj Deora

Final Decision : Allowed

Judgement

Lawyers are not appearing in the Court in view of the unprecedented situation being faced by the country due to pandemic of novel corona virus

(COVID-19).

The present bail application has been filed under Section 439 of Cr.P.C. on behalf of the petitioners who are in custody in connection with F.I.R.

No.80/2020, Police Station Bhupalsagar, District Chittorgarh for the offence under Sections 344, 363, 366- A, 370(4) and 498-A of the IPC and

Section 75 and 81 of Juvenile Justice Act (Care and Protection) Act 2015, and Section 9,10 and 11 of Prohibition of Child Marriage Act 2006, and

Section 5/6 and 16/17 of POCSO Act 2012.

Heard learned counsel for the parties. Perused the material available on record.

Learned counsel for the petitioners submits that the petitioners are behind the bar for the last more than two months. Therefore, it is prayed that the petitioners may be enlarged on bail.

Learned Public Prosecutor opposes the bail application. Having regard to the peculiar facts and circumstances of the case as also the present situation of the country due to pandemic of corona virus (COVID-19), in particular the jails, this Court deems it just and proper to release the petitioners on bail.

Consequently, the present bail application filed under Section 439 of Cr.P.C. is allowed. It is ordered that the accused-petitioners-(1) Basanti Lal S/o

Shri Prem Shankar Dadhich (2) Sarita Devi @ Laxmi W/o Satyanarayan Joshi (3) Omprakash S/o Ramchandra (4) Satyanarayan S/o Madan Lal

Joshi arrested in connection with F.I.R. No. 80/2020, Police Station Bhupalsagar, District Chittorgarh shall be released on bail provided they furnishes

a personal bond of Rs.50,000/- (Rupees: Fifty Thousand Only) with two sureties of Rs.25,000/- (Rupees : Twenty Five Thousand Only) each to the

satisfaction of the learned trial court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.