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**(2011) 06 RAJ CK 0015**

**In the Rajasthan High Court**

**Case No :** Criminal Miscellaneous Bail (SOS) Application No. 500 of 2011 in  
Criminal Appeal No. 386 of 2011

Bhagwati Lal @ Bhaggu and Another

APPELLANT

Vs

State of Rajasthan

RESPONDENT

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**Date of Decision :** 15-06-2011

**Acts Referred:**

Penal Code, 1860 (IPC) — Section 147, 436

**Citation :** (2011) 06 RAJ CK 0015

**Hon'ble Judges :** Sandeep Mehta, J

**Bench :** Single Bench

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## **Judgement**

Sandeep Mehta, J.—Heard learned Counsel for the Appellants and learned Public Prosecutor for the State.

2. Learned Counsel for the Appellants submits that the Appellants have been convicted and sentenced for the offences under Sections 147 and 436 of IPC. He further submits that maximum sentence awarded to the accused Appellants is of four years and during trial the Appellants were on bail.

3. Learned Public Prosecutor opposed the bail application.

4. Having considered totality of facts and circumstances of the case and looking to the fact that the maximum sentence awarded to the Appellants is of four years and hearing of the appeal will take long time and co-accused have been acquitted; and the Appellants have not misused the liberty of bail during the trial, the application for suspension of sentence deserves acceptance, accordingly the same is allowed. The sentence passed by learned Additional Sessions Judge, Banswara by judgment dated 09.05.2011 in Sessions Case No. 125/2011 against the Appellants (1) Bhagwati Lal @ Bhaggu S/o Ravji, and (2) Ishwar S/o Mala Damor shall remain suspended till final disposal of the aforesaid appeal provided the Appellants execute(s) personal bond in the sum of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of the learned trial court for

their appearance before this Court on 15.07.2011 and whenever ordered to do so with the incorporation in the bond that in the event of change of his/her/their permanent address or of residence, the same shall be intimated to this Court at earliest.