
(2022) 12 RAJ CK 0077
In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous Bail Application No. 15207 Of 2022

Bhairon Nath And Others

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 14-12-2022

Acts Referred:

Indian Penal Code, 1860 — Section 24, 308, 323, 325, 341, 427, 452
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2022) 12 RAJ CK 0077

Hon'ble Judges : Madan Gopal Vyas, J

Bench : Single Bench

Advocate : DS Gharsana, Anita Gehlot, RS Gill

Final Decision : Allowed

Judgement

Madan Gopal Vyas, J

The petitioners have been arrested in connection with FIR No.282/2022 of Police Station Kotgate, Bikaner for the offences punishable under Sections 452, 308, 325, 323, 341, 427, 24 of the IPC. They have preferred this bail application under Section 439 Cr.P.C.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. It is further submitted that compromise has been arrived at between the petitioners and the complainant and now complainant does not want any legal proceedings against them. The accused-petitioners are in judicial custody and the trial of the case will take long time to be concluded. Therefore, it is prayed that the accused-petitioners may be enlarged on bail.

Learned Public Prosecutor has vehemently opposed the bail application.

Learned counsel for the complainant has not disputed the fact of compromise.

Having regard to the totality of the facts and circumstances of the case, without expressing any opinion on the merits of the case, I deem it just and proper to

grant bail to the accused petitioners under Section 439 Cr.P.C.

Accordingly, the bail application filed under Sec.439 Cr.P.C. is allowed and it is directed that petitioners, (1)Bhairon Nath S/o Rameshwar Nath, and (2) Panna Nath S/o Fusa Nath shall be released on bail in connection with FIR No.282/2022 of Police Station Kotgate, Bikaner provided each of them executes a personal bond in a sum of Rs.1,00,000/-with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.