

(2020) 04 RAJ CK 0055
In the Rajasthan High Court
Case No : Criminal Appeal No. 74 Of 2020

Chiranji Lal @ Charan And Ors

APPELLANT

Vs

State of Rajasthan

RESPONDENT

Date of Decision : 07-04-2020

Acts Referred:

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 — Section 3(1)(R)(S), 3(2)(5), 14A(2)
Indian Penal Code, 1860 — Section 354, 376, 450, 511

Citation : (2020) 04 RAJ CK 0055

Hon'ble Judges : Vijay Bishnoi, J

Bench : Single Bench

Advocate : Farzand Ali

Final Decision : Allowed

Judgement

This criminal appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter to be referred as 'the SC/ST Act') has been filed on behalf of the appellants being aggrieved with the order dated 24.12.2019 passed by the Special Judge, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Cases), Bikaner (hereinafter to be referred as 'trial court') in Criminal Misc. Case No.1953/2019, whereby the trial court has dismissed the bail application filed on behalf of the appellants.

The appellants have been arrested in FIR No.132/2019 of Police Station Nai, District Bikaner for the offences punishable under Sections 450, 354, 376/511 IPC and Sections 3(1)(R)(S) and 3(2)(5) of SC/ST Act.

It is noticed that after rejection of earlier criminal appeal filed on behalf of the appellants, charge-sheet has been filed.

Learned AAG-cum-GC has opposed the prayer made on behalf of the appellants in this criminal appeal.

Heard AAG-cum-GC and perused the material on record.

Having regard to the totality of the facts and circumstances of the case and after perusing the averments made in this criminal appeal as well as the charge-sheet filed by the police, without expressing any opinion on the merits of the case, I deem it just and proper to allow the appeal filed by the accused appellants under Section 14-A(2) of SC/ST Act.

Accordingly, this criminal appeal filed under Section 14-A(2) of SC/ST Act is allowed and the order dated 24.12.2019 passed by the Special Judge, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Cases), Bikaner in Criminal Misc. Case No.1953/2019 is set aside. It is directed that appellants - (1) Chiranji Lal @ Charan S/o Om Prakash and (2) Kalu @ Sandeep S/o Lal Singh shall be released on bail in connection with FIR No.132/2019 of Police Station Nai, District Bikaner provided each of them executes a personal bond in a sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- 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.