

(2017) 02 RAJ CK 0073
In the Rajasthan High Court
Case No : 1825 of 2017

Deepak Nat S/o Laxman Nat

APPELLANT

Vs

The State of Rajasthan

RESPONDENT

Date of Decision : 23-02-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 439](#) - Special powers of High Court or Court of Session regarding bail
[Indian Penal Code, 1860](#), [Section 120B](#),
[Section 376](#)

Citation : (2017) 02 RAJ CK 0073

Hon'ble Judges : Sandeep Mehta

Bench : SINGLE BENCH

Advocate : Tarun Dhaka, Pankaj Awasthi

Final Decision : Allowed

Judgement

1. Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the material available on record.
2. The present bail application has been filed under Section 439 Cr.P.C. on behalf of the petitioner, who is in custody in connection with F.I.R. No.64/2016, Police Station Jaswantgarh, District Nagaur for the offences under Sections 323, 341, 366, 376, 149, 212 and 120B IPC.
3. Counsel for the petitioner contends that the prosecutrix and the petitioner belong to the same community and both are majors. The prosecutrix went away with the petitioner on 11.5.2016 and travelled with him through thickly populated places

without any protest whatsoever. He urges that it is a clear case of consensual relations between the two majors and thus, the petitioner deserves to be granted bail.

4. Learned P.P. vehemently opposes the submissions advanced by the petitioner's counsel.

5. Having regard to the entirety of facts and circumstances as available on record and upon a consideration of the arguments advanced at the Bar but without expressing any opinion on the merits of the case, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

6. Consequently, the bail application is allowed. It is ordered that the accused-petitioner, Deepak Nat arrested in connection with F.I.R. No.64/2016, Police Station Jaswantgarh, District Nagaur shall be released on bail; provided he furnishes a personal bond of Rs.50,000/- and two surety bonds of Rs.25,000/- 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.