

(2020) 06 RAJ CK 0047
In the Rajasthan High Court
Case No : Criminal Appeal No. 482 Of 2020

Ganpat Lal

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 09-06-2020

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(1)(E)(R)(S), 3(2)(V), 3(2)(VA), 14A
Indian Penal Code, 1860 — Section 143, 308, 341, 342, 323, 324, 327, 355, 365, 384
Information Technology Act, 2000 — Section 66

Citation : (2020) 06 RAJ CK 0047

Hon'ble Judges : Dr. Pushpendra Singh Bhati, J

Bench : Single Bench

Advocate : Pritam Solanki, Gaurav Singh

Final Decision : Allowed

Judgement

In wake of onslaught of COVID-19, lawyers have been advised to refrain from coming to the Courts.

This criminal appeal under Section 14-A of the Scheduled Castes and Scheduled Tribes Act (hereinafter to be referred as 'the SC/ST Act') has been filed on behalf of the appellant being aggrieved with the order dated 03.06.2020 passed by the learned Special Judge, SC/ST Act Cases, Merta (hereinafter to be referred as 'trial court') in Criminal Misc. Bail Case No.55/2020), whereby the trial court has dismissed the bail application filed on behalf of the appellant.

The appellant has been arrested in CR No.11/2020 of Police Station Panchodi, District Nagaur for the offences punishable under Sections 143, 341, 342, 323, 324, 327, 355, 365, 384, 308 IPC read with Section 3(1)(E)(R)(S), 3(2)(V), 3(2)(VA) of the SC/ ST Act and Section 66 of the Information Technology Act.

Heard learned counsel for the appellant on video call and learned Public Prosecutor and perused the material available on record.

Learned counsel for the appellant submits that the overt act of putting screw driver into the private parts of the complainant is attributed to one Hanuman Singh, whose appeal seeking bail has been dismissed by this Court as not pressed. He further submits that the position of all other co-accused is similar and they all have been granted bail by this Court vide order dated 6.5.2020 (S.B. Crl. Appeal No.423/2020 and 377/2020).

Having regard to the totality of the facts and circumstances of the case, without expressing any opinion on the merits of the case, this Court deems it just and proper to allow the appeal filed by the accused appellant under Section 14-A of SC/ST Act.

Accordingly, this criminal appeal filed under Section 14-A of SC/ST Act is allowed and the order dated 03.06.2020 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Act, Merta in Criminal Misc. Bail Case No.55/2020 is set aside. It is directed that appellant -Ganpat Lal S/o Shri Ramchandra shall be released on bail in connection with CR No.11/2020 of Police Station Panchodi, District Nagaur provided he 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 his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.