

(2021) 08 RAJ CK 0028
In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous Bail Application No. 10029 Of 2021

Gopal Singh

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 25-08-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 120B, 420, 467, 468, 471

Citation : (2021) 08 RAJ CK 0028

Hon'ble Judges : Devendra Kachhawaha, J

Bench : Single Bench

Advocate : Surendra Singh, Laxman Solanki

Final Decision : Allowed

Judgement

Devendra Kachhawaha, J

The present bail application has been filed under Section 439 Cr.P.C. on behalf of the petitioner, who is in judicial custody in connection with F.I.R. No.221/2020, Police Station Udaimandir, District Jodhpur, registered for the offences punishable under Sections 420, 467, 468, 471 & 120B IPC.

Heard learned counsel for the petitioner as well as learned Public Prosecutor and learned counsel for the complainant.

Perused the material available on record.

Learned counsel for the petitioner stated that petitioner is behind the bars for last 40 days; as per prosecution, he sold the disputed land on the basis of fake power of attorney; and trial will take time. With these submissions, learned counsel for the petitioner prayed that the benefit of bail may be granted to the petitioner.

Per contra, learned Public Prosecutor and learned counsel appearing on behalf of the complainant have opposed the bail application and stated that accused-

petitioner has made forgery in revenue records with regard to the land of complainant and sold the same by wrongly showing his own name to a third person, whereas complainant has possession over the said land.

Having regard to the facts and circumstances of the case and the fact that trial of the case will take sufficiently long time, therefore, without expressing any opinion on the merits/demerits of the case, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

Consequently, the bail application is allowed. It is ordered that the petitioner - Gopal Singh S/o Sh. Bholu Ram Lal, arrested in connection with F.I.R. No.221/2020, Police Station

Udaimandir, District Jodhpur, shall be released on bail, if not wanted in any other case; provided he furnishes a personal bond of Rs.50,000/- with 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.