
(2020) 05 RAJ CK 0018

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 3353 Of 2020

Govindram

APPELLANT

Vs

State, Through Pp

RESPONDENT

Date of Decision : 05-05-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 34, 323, 341, 382

Citation : (2020) 05 RAJ CK 0018

Hon'ble Judges : Dinesh Mehta, J

Bench : Single Bench

Advocate : Gaurav Singh

Final Decision : Allowed

Judgement

This application for bail has been filed by the petitioner under Section 439 of the Cr.P.C. in connection with FIR No.14/2020 Police Station Chapar, District Churu for the offences under Sections 382, 341, 323 & 34 IPC.

It has been indicated in the bail application that chargesheet has been filed and no recovery remains to be made from the petitioner. It has also been stated that petitioner is behind the bars for a considerable period in relation to an offence; which is triable by Magistrate.

Mr. Bhati, learned PP, while opposing petitioner's prayer for release on bail submitted that accused was duly recognised in identification parade.

Having regard to the totality of facts and considering that charge-sheet has been filed and no recovery remains to be made, 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 filed under Section 439 Cr.P.C. is allowed. The petitioner Govindram S/o Trilok Chand, arrested in FIR No.14/2020, Police

Station Chapar, District Churu shall be released on bail on his furnishing personal bond in the sum of Rs.50,000/- and two sureties of Rs.25,000/- each.

This Court is of the view that in the prevailing circumstances of complete lock-down amidst spread of COVID-19, furnishing of two sureties will be difficult on the one hand and the same may pose eminent threat to the concerned. It is, therefore, ordered that the petitioner shall be released on bail upon furnishing the personal bond. He may furnish requisite sureties by 28th May, 2020 to the satisfaction of the learned trial Court.

It would be required of the concerned Superintendent of Police/Jailer to apprise the petitioner about consequence of violation of the bond as stipulated in Section 229A of the Indian Penal Code, while releasing the petitioner on bail.

Petitioner shall be required to appear before that Court on all dates of hearing and as and when called upon to do so. In case, he fails to furnish surety bonds by the stipulated time, the instant order will come to an end automatically.