
(2021) 04 RAJ CK 0019

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 3116, 4193 Of 2021

Heera Ram And Ors

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 29-04-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 143, 308, 323, 341, 342, 379

Citation : (2021) 04 RAJ CK 0019

Hon'ble Judges : Arun Bhansali, J

Bench : Single Bench

Advocate : Awar Dan Ujjwal, Iqbal Mohd. Khan, M.S. Bishnoi

Final Decision : Allowed

Judgement

Heard learned counsel for the parties and have perused the material available on record.

The present bail applications have been filed under Section 439 Cr.P.C. on behalf of the petitioners, who are in custody in connection with FIR

No.08/2021, Police Station Khuhadi, District Jaisalmer for the offences under Sections 143, 341, 323, 308, 379, 342 of IPC.

It is submitted by learned counsel for the petitioners that charge-sheet has already been filed and irrespective of the nature of injuries, the case has

been registered under Section 308 IPC, rest all the offences are triable by magistrate.

Further submissions have been made that the all alleged injuries are by blunt weapon and none of them are serious.

Learned counsel for Heera Ram made submissions that the cases indicated against the petitioners are all antique, inasmuch as, the same pertain to

year 1989, 1996, 1998, 1999 & 2006.

Further submissions have been made that petitioners are in custody since 19.02.2021 and looking to the present pandemic scenario on account of

COVID-19, they may be released on bail.

Learned Public Prosecutor opposed the bail application. In the circumstances of the case and having gone through the charge-sheet and injury report,

without expressing any opinion on the merits of the case, this Court is of the opinion that the bail application filed by the petitioners deserves to be

accepted.

Consequently, the bail applications are allowed. It is ordered that the accused-petitioners -(1) Heera Ram S/o Birbal Ram, (2) Damaram S/o Shri

Heera Ram, (3) Deepa Ram S/o Shri Heera Ram, (4) Chimaram S/o Shri Heera Ram arrested in connection with FIR No.08/2021, Police Station

Khuhadi, District Jaisalmer, shall be released on bail; provided he furnish a personal bond of Rs.50,000/- (Rupees Fifty Thousand Only) with two

sureties of Rs.25,000/- (Rupees Twenty Five Thousand Only) 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.