

(2017) 03 RAJ CK 0090
In the Rajasthan High Court
Case No : 2244 of 2017

Hukam Singh S/o Shri Vijay Singh

APPELLANT

Vs

State of Rajasthan

RESPONDENT

Date of Decision : 25-03-2017

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 420](#)

Citation : (2017) 03 RAJ CK 0090

Hon'ble Judges : Sandeep Mehta

Bench : SINGLE BENCH

Advocate : T.R.S. Sodha, A.S. Rathore, P.S. Rathore

Final Decision : Allowed

Judgement

1. Heard learned counsel for the petitioner and learned Public Prosecutor as well as learned counsel for the complainant. Perused the case diary.
2. The instant bail application under Section 439 Cr.P.C. has been preferred on behalf of the petitioner who is in custody in connection with F.I.R. No.364/2016, registered at Police Station Ratanada, District Jodhpur for the offences under Sections 384, 420 and 120B IPC.
3. It is apparent that two FIRs have been filed by Devendra Singh against the petitioner for the very same transaction pertaining to the same chunks of agricultural lands in the District

Pali. It is pointed out by the learned Public Prosecutor that in the case registered at P.S. Marwar Junction being FIR No.160/2016, the police is proposing to file a negative report.

4. In this background and having regard to the facts and circumstances available on record and the fact that the petitioner is in judicial custody for magistrate triable offences, but without expressing any opinion on the merits of the case, this Court is of the opinion that the petitioner deserves to be released on bail.

5. Accordingly, the bail application under Section 439 Cr.P.C. is allowed and it is directed that the petitioner Hukam Singh arrested in connection with the F.I.R. No. 364/2016, registered at Police Station Ratanada, District Jodhpur 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.