
(2023) 04 RAJ CK 0099

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 1521 Of 2023

Jeetu @ Manjeet

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 24-04-2023

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 161, 439
Indian Penal Code, 1860 — Section 363, 366A, 376D
Protection Of Children From Sexual Offences Act, 2012 — Section 5, 6
Juvenile Justice (Care And Protection Of Children) Act, 2015 — Section 84

Citation : (2023) 04 RAJ CK 0099

Hon'ble Judges : Kuldeep Mathur, J

Bench : Single Bench

Advocate : Shree Kant Verma, S.S. Rajpurohit

Final Decision : Allowed

Judgement

Kuldeep Mathur, J

This application for bail has been filed by the petitioner under Section 439 of the Cr.P.C. in connection with FIR No.514/2022 Police Station Sadar, District Sri Ganganagar, for the offences under Sections 363, 366-A, 376-D of IPC and under Section 5/6 of POCSO Act and under Section 84 of Juvenile Justice (Care & Protection of Children) Act.

Heard learned counsel for the petitioner and learned Public Prosecutor and also perused the material available on record.

Drawing attention of the Court towards the statements of prosecutrix recorded under Section 161 Cr. P.C. on 20.12.2022 and 09.01.2023, learned counsel for the petitioner submitted that there is no allegation of sexual assault being committed upon her by the present petitioner. Learned counsel for the petitioner submitted that the only allegation against the petitioner is of helping co-accused and prosecutrix in selling certain ornaments brought by prosecutrix from her

house while eloping with the co-accused-Sandeep. Learned counsel further submitted that after selling aforesaid ornaments, a sum of Rs.10,000/- was handed over to the prosecutrix which is evident from the statements dated 20.12.2022 and 09.01.2023. Lastly, it was submitted that no active role has been attributed to the present petitioner in commission of the aforesaid crime, therefore, the petitioner deserves to be enlarged on bail.

Per contra, learned Public Prosecutor opposed the bail application.

Having regard to the facts and circumstances of the case, 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. It is ordered that petitioner-Jeetu @ Manjeet S/o Chet Ram, arrested in connection with FIR No.514/2022 Police Station Sadar, District Sri Ganganagar, shall be released on bail; provided he executes a personal bond in the sum of Rs.50,000/- and two sureties of Rs.25,000/- each to the satisfaction of the learned trial Court. Petitioner shall be required to appear before that Court on all dates of hearing and as and when called upon to do so.