

(2023) 11 RAJ CK 0045

In the Rajasthan High Court

Case No : Criminal Appeal (SB) No. 2343, 2344, 2345 Of 2023

Jitendra Dhobi @ Raj Dhobi And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 08-11-2023

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3[2][va], 14A(2)
Indian Penal Code, 1860 — Section 120B, 323, 342, 365, 395

Citation : (2023) 11 RAJ CK 0045

Hon'ble Judges : Dr. Nupur Bhati, J

Bench : Single Bench

Advocate : N.K. Gurjar, Sikander Khan, Rakesh Matoria, Mahipal Bishnoi

Final Decision : Allowed

Judgement

Dr. Nupur Bhati, J

1. The instant appeals have been filed under Section 14A(2) of SC/ST (Prevention of Atrocities) Act on behalf of the appellants, who are in custody in connection with FIR No.833/2023 dated 22.10.2023, Police Station Pratap Nagar, District Bhilwara, for the offences under Sections 365, 342, 323, 395, 120-B of IPC and Section 3[2][va] of the SC/ST (Prevention of Atrocities) Act.

2. Learned counsels for the appellants submits that the appellants have falsely implicated in the case and the allegation against the appellants is that they threatened the complainant and kidnapped and later on released them, however the appellants have taken away the wrist watch and Rs.500/- from the complainant.

3. Per contra, learned learned Public Prosecutor opposed the bail application however, submits that the appellants have no previous criminal antecedents..

4. Heard learned counsel for the appellant and learned Public Prosecutor. Perused the material available on record.

5. Having regard to the totality of facts and circumstances as available on record and the fact that there are no previous criminal antecedents against the appellants and upon a consideration of the arguments advanced, this Court is of the opinion that the appellants deserves to be enlarged on bail.

6. Consequently, the instant appeals are allowed. The impugned order dated 26.10.2023 passed by the Special Judge, SC/ST (Prevention of Atrocities) Cases, Bhilwara is set aside. It is ordered that the accused-appellants No. 1. Jitendra Dhobi @ Raj Dhobi S/o Ratan Lal Dhobi 2. Kansingh @ Kanha S/o Rajendra Singh 3. Vinit Kumar S/o Vishnu Kumar arrested in connection with aforesaid FIR, shall be released on bail, if not wanted in any other case, provided each of them furnish a personal bond of Rs. 50,000/- and two sureties 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.