

(2022) 01 RAJ CK 0057

In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous Bail Application No. 145 Of 2022

Magaram S/O Shri Kanaram

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 25-01-2022

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 325, 326, 341
Code Of Criminal Procedure, 1973 — Section 438

Citation : (2022) 01 RAJ CK 0057

Hon'ble Judges : Vinit Kumar Mathur, J

Bench : Single Bench

Advocate : Mahaveer Bishnoi, S. K. Bhati, Dinesh Bishnoi

Final Decision : Allowed

Judgement

Vinit Kumar Mathur, J

Lawyers are not physically appearing in the Court in view of the unprecedented situation being faced by the country due to pandemic of novel corona virus (COVID-19).

The present application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with F.I.R. No.169/2021, Police

Station Dungla, District Chittorgarh for the offences under Sections 341, 323, 325, 326 and 34 of IPC.

Heard. Perused the material available on record.

Learned Public Prosecutor has vehemently opposed the bail application.

Having regard to the nature of accusation, the gravity of the offence, material on record in support thereof and taking into consideration the totality of

the facts and circumstances of the present case, without expressing any opinion

on the merits of the case, I am not inclined to extend the benefit under Section 438 Cr.P.C. to the petitioner. Accordingly, the application preferred by the petitioner under Section 438 Cr.P.C. is hereby rejected.

However, it is submitted on behalf of the petitioner that petitioner is ready to surrender before the concerned court, which may consider his bail

application on the same day.

Taking into consideration the facts and circumstances of the present case, in the interest of justice, it is directed that if the petitioner Salim S/o Ghasi

Khan surrenders before the trial Court on or before 13/02/2022 and file a bail application there, the Court concerned shall consider his bail application

preferably on the same day in accordance with law.