

(2017) 09 RAJ CK 0031
In the Rajasthan High Court
Case No : 1405 of 2017

Megha Ram S/o Shri Bhupa Ram Bhat

APPELLANT

Vs

The State of Rajasthan

RESPONDENT

Date of Decision : 18-09-2017

Acts Referred:

Indian Penal Code, 1860, Section 34, Section 323, Section 143, Section 341 - Acts done by several persons in furtherance of common intention - Punishme

Citation : (2017) 09 RAJ CK 0031

Hon'ble Judges : P.K. LOHRA

Bench : SINGLE BENCH

Advocate : Chaitanya Gahlot, Pankaj Awasthi

Judgement

1. Accused-appellants have laid this appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, "Act of 1989") to assail impugned order dated 07.09.2017 passed by Special Judge, Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities), Jalore (for short, "learned trial Court") rejecting their bail application under Section 439 Cr.P.C. in respect of FIR No.250/2017 of Police Station Sanchore, District Jalore for offences under Sections 143, 341 and 323 / 34 IPC and Sections 3(1)(r)(s) & 3(2)(va) of the Act of 1989.
2. Heard learned counsel for the appellants, learned Public Prosecutor, perused the impugned order and other materials

available on record.

3. Upon perusal of the impugned order in conjunction with the materials available on record in the backdrop of alleged criminal delinquency of the appellants, in my opinion, the impugned order cannot be sustained.

4. Accordingly, the instant appeal is allowed, the impugned order passed by learned trial Court is set at naught and it is ordered that accused-appellants, (1) Megha Ram S/o Shri Bhupa Ram Bhat, and (2) Thana Ram S/o Shri Popat Ram Bhat, arrested in connection with F.I.R. No.250/2017 Police Station Sanchore, District Jalore, may be released on bail; provided each of them furnishes a personal bond of Rs.50,000/- with two surety bonds of Rs.25,000/- each to the satisfaction of 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.