

(2022) 09 RAJ CK 0065

In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous Bail Application No. 11205 Of 2022

Narpat @ Napa Ram And Others

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 23-09-2022

Acts Referred:

Indian Penal Code, 1860 — Section 143, 323, 341, 384, 427
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2022) 09 RAJ CK 0065

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Suresh Kumbhat, S.K. Sainee, Mukesh Trivedi, Tapesh Kumar Sain, Vijendra

Final Decision : Partly Allowed

Judgement

Manoj Kumar Garg, J

The petitioners have been arrested in connection with FIR No.206/2022 of Police Station Siwana, Distt. Barmer for the offence punishable under Sections 143, 341, 323, 427, 384, 325, 307 of IPC. They have preferred this bail application under Section 439 Cr.P.C.

Counsel for the petitioner No.1 Narpat @ Napa ram and petitioner No.3 Sava Ram, does not want to press the bail application and he seeks liberty to file afresh after filing of the challan.

Hence, the bail application filed by the petitioner No.1 and petitioner No.3 is hereby dismissed as not pressed with liberty as prayed for.

So far as Petitioner No.2 Ashok Kumar is concerned, counsel submits that according to the statement of injured- Hira Ram, no specific allegation has been made against the petitioner No.2-Ashok Kumar. The accused-petitioner is in judicial custody and the trial of the case will take sufficient long time to be concluded. Therefore, the benefit of bail should be granted to the accused-

petitioner.

Learned Public Prosecutor and learned counsel for the complainant have vehemently opposed the bail application.

Having regard to the totality of the facts and circumstances of the case, without expressing any opinion on the merits of the case, I deem it just and proper to grant bail to the accused petitioner under Section 439 Cr.P.C.

Accordingly, the bail application filed under Sec.439 Cr.P.C. is partly allowed and it is directed that petitioner No.2-Ashok Kumar S/o Maga Ram, shall be released on bail in connection with FIR No.206/2022 of Police Station Siwana, Distt. Barmer provided he executes a personal bond in a sum of Rs.1,00,000/-with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.