

(2002) 07 RAJ CK 0163

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 1923 of 2002

Nisar Mohd.

APPELLANT

Vs

State of Rajasthan

RESPONDENT

Date of Decision : 10-07-2002

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 439
Penal Code, 1860 (IPC) — Section 363, 366, 376

Citation : (2002) 5 WLN 463

Hon'ble Judges : Harbans Lal, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Harbans Lal, J.—This bail application u/s 439, CrPC has been filed on behalf of the petitioner against whom investigation is pending in F.I.R. No. 58/2002 of P.S. Siriyari for the offences u/s 363, 366 and 376, IPC wherein the allegation against the petitioner is that he abducted Mst. Raisa Banu who is reported to be of age of more than 17 years but less than 19 years and committed rape with her.

2. Having heard the learned Counsel for the petitioner and the learned P.P. and upon a perusal of the papers placed before me and considering all the facts and circumstances of the case as also the expert opinion of Radiologist regarding age of prosecutrix, I deem it just and proper to enlarge the petitioner on bail.

3. In the result, (his bail application is allowed and it is directed that petitioner Nisar Mohd. shall be released on bail on his furnishing a personal bond in the sum of Rs. 20,000/- with one surety in the like amount to the satisfaction of the concerned Court for his appearance before that Court on each and every date of hearing during investigation, enquiry and trial.