

(2022) 12 RAJ CK 0027

In the Rajasthan High Court

Case No : S.B. Criminal Appeal (SB) No. 2014 Of 2022

Pema Ram

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 06-12-2022

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 14A(1)

Indian Penal Code, 1860 — Section 302

Citation : (2022) 12 RAJ CK 0027

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Narpat Ram, Dr. Sachin Archarya, Rahul Rajpurohit

Final Decision : Allowed

Judgement

Manoj Kumar Garg, J

The present criminal appeal (interim bail) under Section 14-A(1) of the Scheduled Caste/Scheduled Tribe (Prevention of Atrocities), Act has been filed by the appellant on the ground of engagement of appellant's daughter.

Learned counsel for the appellant submits that engagement of appellant's daughter has been fixed on 07.12.2022 and being a father, presence of appellant is very much essential. In these circumstances, the presence of the appellant is very much essential in the marriage ceremony. It is prayed that the appellant may be granted interim bail for a period of 7 days.

Dr. Sachin Acharya, learned Senior Advocate appearing for C.B.I. and learned Public Prosecutor have opposed the prayer of the appellant, since allegation against the appellant is for offence under Section 302 of IPC.

I have heard learned counsel for the appellant as well as learned Public Prosecutor and learned counsel for the CBI. Perused the material available on record.

Taking into consideration the fact that engagement of appellant's daughter has been fixed on 07.12.2022 and appellant's presence is very much essential to perform his daughter's function, I deem it just and proper to release the appellant on interim bail for a period three days.

Accordingly, the present criminal appeal (interim bail) is allowed and it is directed that the appellant Pema Ram S/o Sh. Sugna Ram, shall be released on interim bail for a period of three (3) days in F.IR No.168/2015, P.S. Merta City, Distt. Nagaur subject to the condition that he shall deposit a demand draft of Rs.2,50,000/- of a Nationalized Bank executed in favour of the trial court and also furnishes a personal bond in a sum of Rs.5,00,000/- with two sound and solvent sureties in the sum of Rs.2,50,000/- (out of which one surety will be a close relative of the appellant) each to the satisfaction of learned trial court. The appellant shall surrender before the concerned jail authorities on 09.12.2022 at 4.30 P.M. It is made clear that if the appellant surrenders within the stipulated period then the demand draft of Rs.2,50,000/- will be returned to him. In case, the appellant fails to surrender before the concerned Jail after period of interim bail, the demand draft so deposited by the appellant shall be forfeited.

Let this criminal appeal be listed on 16.12.2022, on which date, learned Public Prosecutor shall be required to submit the compliance of the order whether appellant has been surrendered or not.