

(2020) 12 RAJ CK 0097

In the Rajasthan High Court

Case No : Criminal Appeal No. 1721, 1783 Of 2020

Ramjilal Sharma And Ors

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 16-12-2020

Acts Referred:

Scheduled Caste and Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 14A
Indian Penal Code, 1860 — Section 279, 304A, 337
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2020) 12 RAJ CK 0097

Hon'ble Judges : Chandra Kumar Songara, J

Bench : Single Bench

Advocate : Rajneesh Gupta, Arvind Bhadu

Final Decision : Allowed

Judgement

The instant appeals have been filed under Section 14-A of the SC/ST (Prevention of Atrocities) Act on behalf of the appellants, who are in custody in

connection with FIR No.327/2019, registered at Police Station Thanagaji, District Alwar for the offence under Sections 279, 337 and 304-A of IPC

and Sections 3(i)(r)(s) and 3(ii)(v) of the SC/ST (Prevention of Atrocities) Act and against the order dated 19.11.2020 & 10.11.2020 passed by the

Special Judge, SC/ST (Prevention of Atrocities) Cases, Alwar (Raj.), whereby, the bail applications preferred under Section 439 Cr.P.C. on behalf of

the appellants were rejected.

Learned State counsel submits that he has already informed the complainant but none has appeared on his behalf.

Learned counsel for the appellants has submitted that the co-accused, Rajendra Sharma has already been enlarged on bail by this Court in S.B.

Criminal Appeal No. 1335/2020 vide order dated 06.11.2020. Hence, the appeals of the accused-appellants may be granted.

Learned State counsel has opposed the appeals. Heard learned counsel for the appellants and perused the material available on record.

Considering the submissions made by learned counsel for the appellants and the facts and circumstances of the case, but without expressing any

opinion on the merits/demerits of the case, this Court is of the opinion that the appellants deserves to be enlarged on bail.

Consequently, the instant appeals are allowed. The impugned order dated 19.11.2020 & 10.11.2020 passed by the Special Judge, SC/ST (Prevention

of Atrocities) Cases, Alwar (Raj.) are set aside. It is ordered that the accused-appellants (1) Ramjilal Sharma S/o Shri Rameshwar Dayal, and (2)

Pushpendra Sharma S/o Shri Rameshwar Dayal arrested in connection with F.I.R. No. 327/2019 registered at Police Station Thanagaji, District Alwar

shall be released on bail; provided each of them furnishes a personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs.25,000/- each

to the satisfaction of the 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.