
(2023) 12 RAJ CK 0003

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 14072 Of 2023

Ratna Ram And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 01-12-2023

Acts Referred:

Indian Penal Code, 1860 — Section 147, 148, 149, 308, 323, 325, 326, 459
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2023) 12 RAJ CK 0003

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : ?Pradeep Shah, Javed Gauri, Abhimanyu Singh Ranawat

Final Decision : Allowed

Judgement

Manoj Kumar Garg, J

The petitioners have been arrested in connection with FIR No.367/2022 of Police Station Bhinmal, District Jalore, for the offence punishable under Sections 147, 148, 459, 323, 325, 326 and 308/149 of IPC. They have preferred this second bail application under Section 439 Cr.P.C. Earlier bail application was dismissed by this Court on 06.01.2023 with liberty to file afresh after recording the statement of injured-Jeevaram.

Learned counsel for the petitioners submits that now the injured Jeevaram has been examined in the Court as PW/1 and there are material contradictions, improvements and omission in his statement. The accused-petitioners are in judicial custody since 09.10.2022 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-petitioners.

Learned Public Prosecutor and counsel for the complainant have 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 petitioners under Section 439 Cr.P.C.

Accordingly, the second bail application filed under Sec.439 Cr.P.C. is allowed and it is directed that petitioners (1) Ratna Ram S/o Sh. Balka Ram & (2) Radmal Ram S/o Sh. Balka Ram, shall be released on bail in connection with FIR No.367/2022 of Police Station Bhinmal, District Jalore, provided they execute personal bond in a sum of Rs.1,00,000/- each with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.