

(2021) 01 RAJ CK 0047
In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 15030 Of 2020

Sabir

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 05-01-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 437(3), 439

Indian Penal Code, 1860 — Section 120B, 307

Reserve Bank Of India Act, 1934 — Section 3, 5, 6, 8

Citation : (2021) 01 RAJ CK 0047

Hon'ble Judges : Mahendar Kumar Goyal, J

Bench : Single Bench

Advocate : Girish Khandelwal, Laxman Meena

Final Decision : Allowed

Judgement

The present bail application has been filed under Section 439 Cr.P.C. The petitioner has been arrested in connection with FIR No. 148/2020 registered

at Police Station Laxmangarh, District Alwar for the offence(s) under Section(s) 307 of I.P.C. and Sections 3, 5 & 8 of R.B.A. Act and later on for

the offence under Sections 307 & 120-B of I.P.C. and Sections 3, 5, 6 & 8 of R.B.A. Act.

It is contended by the learned counsel for the petitioner that merely being registered owner of the vehicle in question, he has falsely been implicated in

this case; otherwise, he was not involved in transporting the animals. He submitted that the petitioner is in custody since 23.11.2020, investigation as

against him is complete, he has no criminal antecedents, co-accused person has been extended benefit of bail by a co-ordinate Bench of this Court and

prayed for his release on bail.

Learned Public Prosecutor has opposed the bail application.

Taking into consideration the submissions advanced by learned counsel for the petitioner, the nature of allegations against him, his length of custody,

absence of criminal antecedents and release of co-accused person on bail by a co-ordinate Bench of this Court; but, without expressing any opinion on

the merits of the case, this Court deems it just and proper to enlarge the petitioner on bail.

Accordingly, the bail application is allowed and it is directed that accused-petitioner Sabir S/o Sirajuddin shall be released on bail under Section 439

Cr.P.C. in connection with afore- mentioned FIR registered at concerned Police Station, provided he furnishes a personal bond in the sum of

Rs.1,00,000/- (Rupees One Lac only) together with two sureties in the sum of Rs.50,000/- (Rupees Fifty Thousand only) each to the satisfaction of

the trial Court with the stipulation that he shall comply with all the conditions laid down under Section 437(3) Cr.P.C.