
(1989) 07 RAJ CK 0035

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 1920 of 1989

Shiv Dayal

APPELLANT

Vs

State of Rajasthan

RESPONDENT

Date of Decision : 13-07-1989

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 438
Penal Code, 1860 (IPC) — Section 467, 468, 471

Citation : (1989) WLN 45

Hon'ble Judges : I.S. Israni, J

Bench : Single Bench

Final Decision : Allowed

Judgement

I.S. Israni, J.

1. Heard, both the parties. This application is u/s 438 Cr.P.C. and the petitioner is alleged to have committed offence u/s 467, 468 and 471, IPC.

2. It is pointed out by learned Counsel for the petitioner that the petitioner is a Government Servant and is working as Amin in Settlement Department. It is alleged that he stole stamp paper which was purchased by Mst. Gendi Devi for writing a Will and forged Will was written in name of B.L. Rathore. Thereafter, Mst. Gendi Devi executed another agreement for sale of the same land on 15-8-88 and again sold the same land by registered sale-deed to one Mohan Singh Bhanwar Singh Rathore has also filed another FIR No, 156 of 1989, dated 2-5-1989, at Police Station Bani Park, Jaipur, against Mst. Gendi Devi and her daughter Kamla and the complaint regarding the same land. It is contended by Shri Sharma, learned Public Prosecutor that the investigation is still in progress and the petitioner does not deserve to be released on bail.

3. In the facts and circumstances of the case I am inclined to grant anticipatory bail to the petitioner Shiv Dayal Sharma.

4. The SHO/AO/IO, P.S. Bani Park, Jaipur, is directed that in the event of arrest of

the petitioner Shiv Dayal Sharma, in FIR No. 57 of 1989, he be released on bail, provided he furnishes a personal bond in the sum of Rs. 5,000/- with one surety in the like amount, to his satisfaction of the following conditions:

[1] that he shall make himself available for interrogation by a Police Officer as and when required;

[2] that he shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any Police Officer;

[3] that he shall not leave India without the prior permission of the Court.

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