
(2011) 06 RAJ CK 0028

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 3829 of 2011

Smt. Bagti and Another

APPELLANT

Vs

State of Rajasthan

RESPONDENT

Date of Decision : 14-06-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 439
Penal Code, 1860 (IPC) — Section 176, 201, 304, 304A

Citation : (2011) 06 RAJ CK 0028

Hon'ble Judges : Sandeep Mehta, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Sandeep Mehta, J.—Heard learned Counsel for the Applicants and the learned Public Prosecutor.

2. Learned Counsel for the Applicants submits that originally charge sheet was filed against the Applicants for the offence under Sections 304, 201 and 176 of IPC, however, as per learned Counsel for the Applicants, the Applicants have been discharged from the offences punishable u/s 201 and 176 of IPC. He further submits that even if the prosecution story is accepted as a whole, then also, the case does not travel beyond Section 304A of IPC.

3. Learned Public Prosecutor opposed the bail application.

4. Having considered the totality of facts and circumstances, the bail application preferred u/s 439 Code of Criminal Procedure deserves acceptance.

5. Accordingly, the bail application is allowed, it is directed that Applicants (1) Smt. Bagti W/o Harlal, (2) Jodha S/o Harlal and (3) Shrawan S/o Jodha, shall be released on bail in FIR No. 22/2011 at P.S. Asind, District Bhilwara provided each of them executes a personal bond for a sum of Rs. 30,000/- along with two sound and solvent sureties in the sum of Rs. 15,000/- 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.