

(2020) 07 RAJ CK 0181

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 6703 Of 2020

Uttam Chand

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 21-07-2020

Acts Referred:

Narcotic Drugs and Psychotropic Substances Act, 1985 — Section 8, 15
Code Of Criminal Procedure, 1973 — Section 439, 446

Citation : (2020) 07 RAJ CK 0181

Hon'ble Judges : Vinit Kumar Mathur, J

Bench : Single Bench

Advocate : Bhawani Singh, Sharwan Bishnoi

Final Decision : Allowed

Judgement

The present bail application (bail jump) has been filed under Section 439 Cr.P.C. on behalf of the petitioner who is in custody in connection with F.I.R. No.31/2008, Police Station Kanera, District Chittorgarh for the offences under Sections 8/15 of NDPS Act.

Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the material available on record.

It is submitted on behalf of the petitioner that the petitioner is facing trial for the aforesaid offences. He was granted bail earlier but he failed to appear before the trial court on the date fixed for his appearance, therefore, he jumped the bail. The petitioner is ready to submit his bail bonds and shall continue to appear before the trial court on each and every date of hearing fixed by the trial court and shall not jump the bail again.

The learned Public Prosecutor opposes the bail application.

Having considered the totality of facts and circumstances of the case and the arguments advanced, this Court thinks it just and proper to enlarge the accused-

petitioner on bail. However, it is made clear that last opportunity is granted to the present petitioner in the case and if he commits default in appearing before the learned trial Court on the date fixed and will jump the bail, no leniency will be granted to him in the future.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Uttam Chand S/o Chhotu Ram Regar be released on bail in F.I.R. No. 31/2008, Police Station Kanera, District Chittorgarh provided he furnishes a personal bond for a sum of Rs.1,00,000/- (Rupees: One Lac Only) with two sureties of Rs. 50,000/- (Rupees: Fifty Thousand Only) each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial. The petitioner is also required to comply with the order passed under Section 446 Cr.P.C.