

(2021) 11 RAJ CK 0045
In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous 5th Bail Application No. 15639 Of 2021

Vijay Pal

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 20-11-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 370(4)

Protection Of Children From Sexual Offences Act, 2012 — Section 6, 17

Citation : (2021) 11 RAJ CK 0045

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Ram Singh Rawal, Mahipal Bishnoi

Final Decision : Allowed

Judgement

Manoj Kumar Garg, J

This is the fifth bail application under Section 439 Cr.P.C. The petitioner was arrested in connection with FIR No.10/2018, Police Station Phalsia, Distt. Udaipur for the offence under Sections 370(4) IPC and Section 6/17 of POCSO Act.

Learned counsel for the petitioner submits that the main accused in this case is Sanjay Kumar Gamar and he has been granted bail by the learned lower court on 23.10.2021. The petitioner is in custody since 15.02.2018 and the case of the present petitioner is similar to that who has already been granted bail by the lower court. The petitioner is in judicial custody and the trial of the case will take sufficient long time. Therefore, the benefit of bail should be granted to the accused-petitioner.

Learned Public Prosecutor has opposed the bail application.

I have considered the arguments advanced before me and gone through the material available on record.

Taking into account the facts and circumstances of the case, without commenting on the merits of the case, this Court deems it just and proper to release the petitioner on bail.

Accordingly, the bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner Vijay Pal S/o Dharm Chand @ Dharmi Lal Gamar shall be enlarged on bail in FIR No.10/2018, Police Station Phalsia, Distt. Udaipur provided he furnishes a personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the learned trial Judge for his appearance before the court concerned on all the dates of hearing as and when called upon to do so.