HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 1898/2020

Jitendra Kumar S/o Shri Nandlal, Aged About 30 Years, By Caste Mali, R/o Gandhi Nagar, Tehsil Dhariyawad, Pratapgarh.
(At Present Lodged In District Jail Pratapgarh).

----Petitioner

Versus

State, Through P.p.

----Respondent

For Petitioner(s) : Mr. Ramesh Purohit.
For Respondent(s) : Mr. Sudhir Tak, PP

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

13/02/2020

The present second bail application 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.322/2019, Police Station- Dhariyawad District Pratapgarh for the offences under Sections 366, 376, 504, 506 & 379 of IPC.

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

It is submitted by learned counsel for the petitioner that after rejection of the first bail application by this court vide order dated 09.01.2020, the charge sheet has been filed. He further submits that the FIR has been lodged after delay of five days from the date of the incident and there is no explanation for the delay occasioned in lodging of the FIR. The petitioner and the prosecutrix were regularly in touch and talking with each other on

telephone. It is also contended that the prosecutrix is a married lady of 25 years. The conclusion of trial will take sufficiently long time, therefore, it is prayed that the petitioner may be enlarged on bail.

The learned Public Prosecutor opposes the bail.

Having regard to the facts and circumstances of the case and upon a consideration of the arguments advanced, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

Consequently, the second bail application is allowed. It is ordered that the accused-petitioner Jitendra Kumar S/o Shri Nandlal arrested in connection with F.I.R. No.322/2019, Police Station- Dhariyawad District Pratapgarh shall be released on bail; provided he furnishes a personal bond of Rs.50,000/- (Rupees: Fifty Thousand Only) with two sureties of Rs.25,000/- (Rupees : Twenty Five Thousand Only) each to the satisfaction of the learned trial court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.

(VINIT KUMAR MATHUR),J

29-Anil Singh/-

RAJASTHAN HIGH COURT
सत्यमेव जयते