HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 5457/2020

Madanmohan S/o Mahipal, Aged About 38 Years, By Caste Meena, R/o Saimrda, Police Thana Spotra, District Karauli. (Presently Confined At Sub Jail, Pokaran).

----Petitioner

Versus

State of Rajasthan

----Respondent

For Petitioner(s) : Mr. Nishant Bora, through VC
For Respondent(s) : Mr. S.K. Bhati, P.P.

HON'BLE MR. JUSTICE VIJAY BISHNOI

Order

10/12/2020

Heard learned counsel for the petitioner as well as learned Public Prosecutor and also perused the material on record.

The petitioner has been arrested in FIR No.11/2011 of Police Station Pokaran, District – Jaisalmer for the offences punishable under Sections 420, 406, 467, 468, 471 and 120B IPC. He has preferred this bail application under Section 439 Cr.P.C.

Learned counsel for the petitioner has submitted that co-accused persons viz. Jiya Ram, China Ram and Jumar Ram have already been enlarged on bail and the case of the petitioner is not distinguishable from that of co-accused.

Learned Public Prosecutor has opposed the bail application. However, he is not in a position to dispute the fact that co-accused persons have already been enlarged on bail and the case of the petitioner is not distinguishable from that of co-accused.

Having regard to the totality of the facts and circumstances of the case, without expressing any opinion on the merits of the case, I deem it just and proper to grant bail to the accused petitioner under Section 439 Cr.P.C.

Accordingly, this bail application filed under Section 439 Cr.P.C. is allowed and it is directed that petitioner - Madanmohan S/o Mahipal shall be released on bail in connection with FIR No.11/2011 of Police Station Pokaran, District – Jaisalmer provided he executes a personal bond in a sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- 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.

(VIJAY BISHNOI),J

Ravi Kh./31

RAJASTHAN HIGH COURT
सत्यमेव जयते