HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR.

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S.B. Criminal Misc. Bail Application No. 8334/2020.

Ghanshyam S/o Shri Tarachand, Aged About 26 Years, Jakharon Ki Dhani, Sursagar, Jodhpur (Raj.).

(At Present Lodged In Central Jail Jodhpur).

----Petitioner

Versus

State of Rajasthan through PP.

----Respondent

For Petitioner(s) : Mr. R.N. Choudhary.
For Respondent(s) : Mr. Laxman Solanki, PP.

HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA

Order

11/08/2020

The present bail application has been filed under Section 439 Cr.P.C. on behalf of the petitioner, who is in judicial custody in connection with F.I.R. No. 407/2019, Police Station Shastri Nagar, District Jodhpur, registered for the offences under Sections 143, 323, 327, 427 and 379 of the Indian Penal Code.

Learned counsel for the petitioner stated that the benefit of bail has already been granted by the coordinate Bench of this Court to the co-accused persons, namely, Premraj @ Prem Khoth @ Prema Ram and Surendra Choudhary; that the allegations levelled against the present accused-petitioner are similar to those alleged against the co-accused; and that the trial will take time.

With these submissions, learned counsel for the petitioner prayed that the benefit of bail may be granted to the accused-petitioner.

Learned Public Prosecutor, while opposing the bail application of the accused-petitioner, stated that four other cases are pending against the accused-petitioner.

In reply, learned counsel for the petitioner is ready to make statement at bar that the present accused-petitioner has not been convicted in any other case previosuly.

Heard and considered the arguments advanced by the learned counsel for the petitioner and learned Public Prosecutor. Perused the material available on record.

Having regard to the facts and circumstances of the case, particularly to the facts that the benefit of bail has already been granted by the coordinate Bench of this Court to the co-accused persons, namely, Premraj @ Prem Khoth @ Prema Ram S/o Mehta Ram, vide order dated 07.11.2019 (Bail Application No. 13665/2019) and Surendra Choudhary S/o Indra Ram Choudhary, vide order dated 03.10.2019 (Bail Application No. 12072/2019); and having regard to the statement made at bar, as referred above; and that the trial will take sufficiently long time, therefore, without expressing any opinion on the merits/demerits of the case, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

Consequently, the bail application is allowed. It is ordered that the accused-petitioner - Ghanshyam S/o Shri Tarachand, arrested in connection with F.I.R. No. 407/2019, Police Station Shastri Nagar, District Jodhpur, shall be released on bail provided he furnishes a personal bond of Rs.50,000/- and two surety bonds of Rs.25,000/- 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.

RAJASTHAN HIGH COURT

(DEVENDRA KACHHAWAHA),J

73-Mohan/-

सत्यमेव जयते