HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 8902/2020

Surta Ram S/o Goma Ram, Aged About 35 Years, Village Dhanau, P.s. Chouhtan, District Barmer. (At Present Lodged In Sub Jail Balotra, District Barmer).

----Petitioner

Versus

State, Through P.P.

----Respondent

For Petitioner(s)	:	Mr. R.J. Punia
For Respondent(s)	:	Mr. Gaurav Singh, PP

HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA

Order

24/08/2020

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.162/2020, Police Station Pachpadra, District Barmer, registered for the offences under Sections 19/54, 14/57 & 54A of Rajasthan Excise Act.

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

Learned counsel for the petitioner stated that offences are triable be First Class Magistrate; no recovery or further investigation is pending against the petitioner and the trial will take long time. With these submissions, learned counsel for the petitioner prayed that the benefit of bail may be granted to the petitioner.

Learned Public Prosecutor has opposed the bail application of the accused-petitioner.

Having regard to the facts and circumstances of the case, particularly to the fact that offences are triable by First Class Magistrate; no investigation and recovery is pending against the petitioner and 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 Surta Ram S/o Goma Ram, arrested in connection with F.I.R. No. 162/2020, Police Station Pachpadra, District Barmer, 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.

(DEVENDRA KACHHAWAHA),J

57-/Rashi/-

RAJASTHAN HIGH COURT
सत्यमेव जयते