HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 8970/2020

1. Bhanwar Lal S/o Nanuram, Aged About 50 Years, Resident Of Kamedia, Police Station Surpalia, District Nagaur. (At Present Lodged In District Jail, Nagaur).
2. Omprakash S/o Nanuram, Aged About 32 Years, Resident Of Kamedia, Police Station Surpalia, District Nagaur. (At Present Lodged In District Jail, Nagaur).
3. Ramniwas S/o Bagtaram, Aged About 37 Years, Resident Of Kamedia, Police Station Surpalia, District Nagaur. (At Present Lodged In District Jail, Nagaur).
4. Mohanram S/o Ishwarram, Aged About 44 Years, Resident Of Kamedia, Police Station Surpalia, District Nagaur. (At Present Lodged In District Jail, Nagaur).

----Petitioners

Versus

State, Through Pp

----Respondent

For Petitioner(s) : Mr R.S. Chundawat
For Respondent(s) : Mr Mahipal Bishnoi, Public Prosecutor

HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA

Order

26/08/2020

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. 17/2020, Police Station Surpaliya, District Nagaur, registered for the offence under Section 143, 341, 323, 452, 188 IPC.

Learned counsel for the petitioners submitted that there is no injury on vital parts which has been declared grievous or dangerous to life; the accused-petitioners are in custody since 05.08.2020; the charge-sheet has been filed in the case; the trial

of the case will take time and requested that the benefit of bail may be granted to the accused-petitioners.

On the contrary, learned Public Prosecutor has opposed the bail application of the accused-petitioners and stated that the injuries Nos.1 and 5 to injured Phoosa Ram have been found grievous in nature.

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

Having regard to the facts and circumstances of the case, particular that as per expert's opinion in the report dated 23.07.2020, no injuries to the injured were found dangerous to life; the charge-sheet has been filed and the trial of the case will take sufficiently long time; 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-petitioners 1) Bhanawr Lal s/o Nanu Ram, 2) Om Prakash s/o Nanu Ram, 3) Ram Niwas s/o Bagta Ram, 4) Mohan Ram s/o Ishwar Ram, arrested in connection with F.I.R. No. 17/2020, Police Station Surpaliya, District Nagaur, shall be released on bail provided each of them furnishes a personal bond of Rs.50,000/- and two surety bonds of Rs.25,000/- each to the satisfaction of learned trial court with the stipulation to appear before that Court on all dates of hearing and as & when called upon to do so.

(DEVENDRA KACHHAWAHA),J

106-MMA/-