HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 10061/2020

1. Ashok S/o Rajeng, Aged About 34 Years, R/o Tham Ka Talab Police Thana Dhambola District Dungarpur.
2. Mukesh S/o Laxman, Aged About 28 Years, R/o Tham Ka Talab Police Thana Dhambola District Dungarpur.

----Petitioners

Versus

State, Through Pp

----Respondent

For Petitioner(s) : Mr. Jitendra Ojha, on VC
For Respondent(s) : Mr. Gaurav Singh, PP

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

16/09/2020

In wake of onslaught of COVID-19, lawyers have been advised to refrain from coming to the Courts.

The petitioners are apprehend their arrest in connection with FIR No.98/2019 of Police Station, Dhambola, District Dungarpur for the offences punishable under Sections 143, 186, 188, 283, 336 and 384 IPC.

Counsel for the petitioner(s) submits that similarly situated co-accused person i.e. Virendra Prasad S/o. Amrat Lal has been enlarged on anticipatory bail by this Court vide CRLMB No.7348/2020, on 27.07.2020. The case of present accused-petitioners being not distinguishable, thus, their bail application deserves to be granted.

Learned Public Prosecutor has opposed the bail application.

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 anticipatory bail to the accused petitioners under Section 438 Cr.P.C.

Accordingly, this bail application under Section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners **(1) Ashok S/o. Rajeng and (2) Mukesh S/o. Laxman** in FIR No.98/2019 of Police Station, Dhambola, District Dungarpur, they shall be enlarged on bail provided each of them furnishes 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 the concerned I.O./S.H.O. on the following conditions:-

(i) They shall make themselves available for interrogation by Investigating Officer as and when required;
(ii) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;
(iii) They shall not leave India without the previous permission of the Court.

(DR. PUSHPENDRA SINGH BHATI),J

23-Sanjay/-

RAJASTHAN HIGH COURT
सत्यमेव जयते