HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous II Bail Application No. 9930/2020

Suresh @ Sugla S/o Sh. Sonaram, Aged About 24 Years, R/o Bhandari-Fali Mudarla, P.s. Abu Road Sadar, District Sirohi.
(Presently Lodged In Sub Jail, Aburoad).

----Petitioner

Versus

State, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous II Bail Application No. 10524/2020

Bhimaram S/o Shri Dhanaram, Aged About 40 Years, R/o.Bhandari Fali, Mudrla, Police Station Abu Road, Sadar, District Sirohi.
(Presently Lodged At Sub Jail Abu Road, Sirohi).

----Petitioner

Versus

State, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. Shambhoo Singh & Mr. Mahaveer Bishnoi through Video Conferencing on Jitsi Meet Application
For Respondent(s)	:	Mr. Laxman Solanki, PP

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

28/09/2020

Lawyers are not appearing in the Court in view of the unprecedented situation being faced by the country due to pandemic of novel corona virus (COVID-19).

Both the aforesaid bail applications shall stand decided by this common order as they arise out of the same F.I.R.

The present second bail applications have been filed under Section 439 of Cr.P.C. on behalf of the petitioners who are in custody in connection with F.I.R. No.75/2020, Police Station Abu Road Sadar, District Sirohi for the offences under Sections 341, 323, 427, 307/34, 324 of IPC and Section 4/25 of Arms Act.

Heard learned counsel for the petitioners and Mr. learned public prosecutor on Jitsi Meet Application.

Learned counsel for the petitioners submit that after rejection of the first bail applications on 05/08/2020, the charge sheet in the case has been filed. They further submit that injuries suffered by Bhoma Ram and Shiva Ram are not dangerous to life. The petitioners are suffered incarceration for more than four months. The incident happened at the spur of moment on a very trivial issue. There are cross F.I.R.s between the petitioners and the complainant party. The conclusion of the trial will take sufficiently long time. They, therefore, pray that the present petitioners may be enlarged on bail.

I have gone through the order impugned & pleadings in the bail applications.

Having regard to the facts and circumstances of the case and upon a consideration of the pleadings in the bail applications as well as written submissions and also considering the peculiar circumstances prevailing in the country due to the pandemic of COVID-19, this Court is of the opinion that the petitioners are entitled for grant of bail under Section 439 of Cr.P.C.

Consequently, both the bail applications filed under Section 439 of Cr.P.C. are allowed. It is ordered that the accused-

petitioners (1) Suresh @ Sugla S/o Sh. Sonaram & (2) Bhimaram S/o Shri Dhanaram arrested in connection with F.I.R. No. 75/2020, Police Station Abu Road Sadar, District Sirohi shall be released on bail provided each of them furnishes a personal bond of Rs.50,000/- (Rupees: Fifty Thousand Only) with two sureties of Rs.25,000/- (Rupees : Twenty Five Thousand Only) 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.

(VINIT KUMAR MATHUR),J

69-SanjayS/-

RAJASTHAN HIGH COURT

सत्यमेव जयते