HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 10145/2020

Manglaram S/o Veeraram, Aged About 22 Years, By Caste Bhil, R/o Village Alisaro Ki Basti, Sedwa, P.s. Sedwa, District Barmer (Raj.). (At Present Lodged In Sub Jail Balotra).

----Petitioner

Versus

State, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. Ramesh Siyag (through VC)
For Respondent(s)	:	Mr. SS Rajpurohit, PP

HON'BLE MR. JUSTICE VIJAY BISHNOI

Judgment / Order

26/11/2020

Heard learned counsel for the petitioner as well as learned Public Prosecutor and also perused the material on record.

The petitioner has been arrested in FIR No.68/2019 of Police Station Sedwa District Barmer for the offences punishable under Sections 363, 366-A, 342, 376 (3), 376 (2) (n) IPC and Section 3/4 of POCSO Act. He has preferred this bail application under Section 439 Cr.P.C.

Learned counsel for the petitioner has submitted that prosecutrix (PW-3) and the complainant Lakharam (PW-4) have not supported the prosecution story and turned hostile. It is submitted that the principal witnesses have not supported the prosecution story and turned hostile, it would be very difficult for the prosecution to prove the guilt of the petitioner.

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 bail to the accused petitioner under Section 439 Cr.P.C.

Accordingly, this bail application filed under Section 439 Cr.P.C. is allowed and it is directed that petitioner Manglaram S/o Veeraram, shall be released on bail in connection with FIR No.68/2019 of Police Station Sedwa District Barmer provided he executes 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 learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(VIJAY BISHNOI),J

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RAJASTHAN HIGH COURT
सत्यमेव जयते