HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Misc. 2nd Bail Application No. 10345/2020

Utmaram S/o Sh. Moolaram, Aged About 65 Years, B/c Meghwal, R/o Bhinyasar, Police Thana Bhojasar, Dist. Jodhpur.
(Presently Lodged At Central Jail, Jodhpur).

----Petitioner

Versus

State, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Roshan Lal through video conferencing on 'Cisco Webex app'
For Respondent(s)	:	Mr. SK Bhati, PP Mr. Pritam Solanki for the complainant through video conferencing on 'Cisco Webex app'

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

05/12/2020

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).

The present second bail application has been filed under Section 439 of Cr.P.C. on behalf of the petitioner who is in custody in connection with F.I.R. No.70/2020, Police Station Bhojasar, District Jodhpur for the offences under Sections 498-A and 306 of the IPC.

Heard learned counsel for the parties. Perused the material available on record.

Learned counsel for the petitioner submits that after the rejection of the first bail application of the petitioner by this Court

on 20.07.2020, the charge-sheet in the case has been filed under Section 306 and 498A and police has not found the allegations of Section 302 IPC. He further submits that the relationship between the deceased Kamla and her husband was not cordial and getting frustrated from the same, she committed suicide. The conclusion of trial will take sufficient time. He, therefore, prays that the petitioner may be enlarged on bail.

Learned Public Prosecutor and learned counsel for the complainant oppose the bail application.

Having regard to the peculiar facts and circumstances of the case as also the present situation of the country due to pandemic of corona virus (COVID-19), in particular the jails, this Court deems it just and proper to release the petitioner on bail.

Consequently, the present second bail application filed under Section 439 of Cr.P.C. is allowed. It is ordered that the accused-petitioner - **Utmaram S/o Sh. Moolaram** arrested in connection with F.I.R. No. 70/2020, Police Station Bhojasar, District Jodhpur shall be released on bail provided he 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

4-Payal/-