HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 12637/2020

Sunil Sanadhya S/o Shri Manohar Lal Ji Sanadhya, Aged 42 Years, R/o Sanadhya Bhawan, In Front Of Apsra Complex, Aazad Chowk, Bhilwara (Rajasthan).

----Petitioner

Versus

State of Raj., Through P.P.

----Respondent

For Petitioner(s) : Mr. Trilok Joshi through VC
For Respondent(s) : Mr. Sudhir Tak, PP

HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA

Judgment / Order

10/12/2020

This application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with F.I.R. No.76/2009, Police Station Mahila Thana, Distt. Udaipur, for the offences under Sections 498-A, 406 of IPC.

Heard learned counsel for the petitioner appearing through video conferencing and learned Public Prosecutor present in person. Perused the material available on record.

Learned counsel for the petitioner stated that interim relief was granted to accused-petitioner vide order dated 09.11.2020; in compliance of that order, petitioner joined the investigation and investigation was completed; only formal charge-sheet is to be filed. He further stated that trial was completed against co-accused Manoher Lal and Smt. Sheela Devi who are father and mother of accused-petitioner and they have been acquitted by learned trial Court by its judgment dated 20.11.2019. Therefore, benefit of anticipatory bail may be granted to the petitioner.

Learned Public Prosecutor does not controvert this fact that investigation in regard to petitioner is completed and only charge-sheet is to be filed.

Having regard to the facts and circumstances of the case and upon a consideration of the arguments advanced, this Court is of the opinion that it is a fit case for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C.

Accordingly, the bail application is allowed and it is directed that in the event of arrest of petitioner Sunil Sanadhya S/o Shri Manohar Lal Ji Sanadhya, in connection with F.I.R. No.76/2009, Police Station Mahila Thana, Distt. Udaipur, the petitioner shall be released on bail; provided he furnishes a personal bond in the sum of Rs.50,000/- along with two sureties of Rs.25,000/- each to the satisfaction of the concerned Investigating Officer/S.H.O. on the following conditions :-

(I) that the petitioner shall make himself available for interrogation by a police officer as and when required;

(ii) that the petitioner 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 any police officer; and

(iii) that the petitioner shall not leave India without previous permission of the court.

(DEVENDRA KACHHAWAHA),J

37-amit/-