HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 12862/2020

Mohammad Bilal S/o Shri Mohammad Said, Aged About 40 Years, Hanumanji Ki Bhakari, Teliyo Ka Madarsa, Aayesa Majil House No. 02, Nai Sadak, Police Station Sadar Bazaar, Jodhpur. (At Present Lodged In Central Jail Jodhpur).

----Petitioner

Versus

State, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. Sushil Solanki
For Respondent(s)	:	Mr. Gaurav Singh, PP Mr. Amit Saraswat for the complainant

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HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

12/11/2020

In wake of onslaught of COVID-19, abundant caution is being taken while hearing the matters in Court.

This Court perused the material available on record.

The petitioner has been arrested in connection with FIR No.186/2020 of Police Station Sursgar, District Jodhpur for the offences punishable under Sections 376(2)(n), 417, 380, 385 & 506 IPC. He has preferred this bail application under Section 439 Cr.P.C.

Learned counsel for the petitioner submits that the age of the prosecutrix is 30 years and age of the present petitioner is 40 years. He further submits that the incident mention in the FIR was

of 28.12.2019 whereas the FIR has been lodged on 13.10.2020 and the allegation is that the prosecutrix was promised to marry by the petitioner.

Learned Public Prosecutor opposed the bail application.

Having regard to the totality of the facts and circumstances of the case as also the fact that conclusion of the proceedings is likely to take some time and without expressing any opinion on the merits of the case, this Court deems 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 **Mohammad Bilal S/o Shri Mohammad Said** shall be released on bail in connection with FIR No.186/2020 of Police Station Sursgar, District Jodhpur 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.

(DR. PUSHPENDRA SINGH BHATI),J

171-Zeeshan/-