HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13163/2020

Purshotam Das S/o Daya Das, Aged About 40 Years, By Caste Vaishnav, R/o Sain Street, Sadar Bazar, Sirohi, District Sirohi.
(At Present Lodged In District Jail Sirohi).

----Petitioner

Versus

State, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. Kamlesh Kumar Rawal through video conferencing on 'Cisco Webex app'
For Respondent(s)	:	Mr. S.K. Bhati, PP

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

03/12/2020

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 bail application have 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.11/2016, Police Station Kotwali Sirohi, District Sirohi for the offences under Sections 420, 406, 409 and 120B of the IPC.

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

Learned counsel for the petitioner submits that the co-accused Nagendra Kumar Rawal has been enlarged on bail by the co-ordinate Bench of this Court vide order dated 20.10.2016 and

the case of the present petitioner is not distinguishable from the case of the co-accused who has already been released on bail by this Court. He, therefore, prays that the petitioner may be enlarged on bail.

The learned Public Prosecutor opposes the bail application but he is unable to distinguish the case of the present petitioner vis-a-vis the case of the co-accused person who has been enlarged on bail.

Having regard to the peculiar facts and circumstances of the case and the fact that case of the petitioner is identical to the co-accused who has been enlarged on bail by this Court 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 bail application filed under Section 439 of Cr.P.C. are allowed. It is ordered that the accused-petitioner – **Purshotam Das S/o Daya Das** arrested in connection with F.I.R. No. 11/2016, Police Station Kotwali Sirohi, District Sirohi 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

14-Payal/-