HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13945/2020

Harun Rashid S/o Mohd. Ibrahim Khan, Aged About 45 Years, R/o Near Tailiyon Ki Nayi Masjid, Teliyon Ka Mohalla, Fad Bazar, Ward No. 53, Bikaner (Raj.).
(Presently Lodged At Central Jail, Bikaner)

----Petitioner

Versus

State Of Rajasthan

----Respondent

For Petitioner(s)	:	Mr. Kaushal Gautam, through video conferencing on "Cisco Webex App"
For Respondent(s)	:	Mr. Shrawan Kumar Bishnoi, PP

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 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.01/2020, Police Station R.P.F. Bikaner for the offences under Sections 03 of the Railway Property (Unlawful Possession) Act.

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

Learned counsel for the petitioner submit that the co-accused Ashraf & Asgar Ali have been enlarged on bail by this Court today itself vide order dated 05.12.2020. He further submits that the offence alleged against the petitioner is triable by

the Magistrate. He, therefore, prays that the petitioner may be enlarged on bail.

Learned Public Prosecutor opposes 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 bail application filed under Section 439 of Cr.P.C. is allowed. It is ordered that the accused-petitioner –**Harun Rashid S/o Mohd. Ibrahim Khan** arrested in connection with F.I.R. No.01/2020, Police Station R.P.F. Bikaner 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

27 SunilS/-

RAJASTHAN HIGH COURT
सत्यमेव जयते