HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 13455/2020

Vikas S/o Sh. Dara Singh, Aged About 19 Years, By Caste Mochi, R/o Roshni Ghar Chouraha, Opp. Rashtra Sahayak School, Bikaner. (At Present In Judicial Custody At Central Jail Bikaner).

----Petitioner

Versus

State Of Rajasthan, Through P.p.

----Respondent

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

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

14/12/2020

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. 109/2020, Police Station Kotegate, District Bikaner for the offences under Sections 34, 323, 341, 307 & 382 of the I.P.C.

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

After the rejection of the first bail application of the petitioner on 07.09.2020, the charge-sheet in the case has been filed. He further submits that co-accused Akshay has been enlarged on bail by the coordinate Bench of this Court vide order

dated 10.11.2020 and the case of the present petitioner is not distinguishable from the case of the co-accused who has already been released on bail. 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 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 - **Vikas S/o Sh. Dara Singh** arrested in connection with F.I.R.No. 109/2020, Police Station Kotegate, District 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

17-/VivekM/-

RAJASTHAN HIGH COURT
सत्यमेव जयते