HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13283/2020

Mohammad Ahsan S/o Shahabudin, Aged About 34 Years, Nayapura Mohalla, Pancho Ki Gali, Mundwa, Police Station Mundwa, District Nagaur. (At Present Lodged In District Jail Nagaur).

----Petitioner

Versus

State Of Rajasthan, Through P.p.

----Respondent

For Petitioner(s)	:	Mr.SK Verma (on VC).
For Respondent(s)	:	Mr.Farzand Aii, AAG a/w Mr.Laxman Solanki, PP. Mr.Idrish Mohammad.

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

26/11/2020

In wake of onslaught of COVID-19, lawyers have been advised to refrain from coming to the Courts.

Heard learned counsel for the parties and perused the material available on record.

The petitioner has been arrested in connection with FIR No.97/2020 of Police Station Mundwa, District Nagaur for the offence punishable under Section 376(2)(n) of IPC. He has preferred this bail application under Section 439 Cr.P.C.

Learned counsel for the petitioner has shown the statement of the prosecutrix rendered under Section 164 Cr.P.C., who is 32 years of age and submitted that rape was continuing for last two years. The age of the petitioner is 34 years.

Learned AAG and learned counsel for the complainant have vehemently opposed the submissions.

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 but 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 Ahsan S/o Shahabudin shall be released on bail in connection with FIR No.97/2020 of Police Station Mundwa, District Nagaur 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.

65-Jitender/-

RAJASTHAN HIGH COURT
सत्यमेव जयते