HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 14440/2020

Golu Chouhan @ Ravi S/o Hardev Chouhan, Aged About 24 Years, By Caste Thakar, R/o Patnipura Amin Ki Chal, Mig Police Station, Indore (Mp), Presently Resident Of Gwal Toli, Sri Ram Mandir, Gwal Toli Police Station, Indore (Mp). (Lodged In District Jail Banswara).

----Petitioner

Versus

State Of Rajasthan, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. Abdul Kalam, through VC
For Respondent(s)	:	Mr. A.R. Choudhary, PP

HON'BLE MR. JUSTICE SANDEEP MEHTA

Order

14/12/2020

The instant second bail application under Section 439 Cr.P.C. has been preferred on behalf of the petitioner Golu Chouhan @ Ravi Son of Hardev Chouhan, who is in custody in relation to F.I.R. No.244/2016, Police Station Kotwali, District Banswara, for the offences under Sections 148, 307/149, 471, 120-B IPC and Section 3/25 of the Arms Act.

Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the material available on record.

The first bail application filed on behalf of petitioner was rejected by this Court on 30.03.2017 giving liberty to the petitioner to file a fresh bail application after examination of the injured and the medical officer at the trial.

Now the statements of injured Khan Bahadur (PW-1) and the Medial officer Dr. Ravi Upadhyay (PW-5) have been recorded by the trial court. On a perusal of the statement of the injured, this Court is of the opinion that there is merit in the contention of the learned counsel for the petitioner that evidence regarding identification of the accused petitioner by the injured is doubtable in nature. The petitioner is in custody since 05.06.2016.

In this background and considering the prolonged custody period suffered by the petitioner and the faint chances of the early conclusion of the trial, this Court is of the opinion that the petitioner deserves indulgence of bail.

Consequently, the bail application is allowed. It is ordered that the accused-petitioner namely Golu Chouhan @ Ravi Son of Hardev Chouhan arrested in connection with F.I.R. No.244/2016, Police Station Kotwali, District Banswara shall be released on bail; provided he furnishes a personal bond of Rs.50,000/- and two surety bonds of Rs.25,000/- 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.

(SANDEEP MEHTA),J

57-Mamta/Pramod