HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous 3rd Bail Application No. 13520/2020

Laxman Meghwal S/o Shri Ramkishore @ Sheru, Aged About 21 Years,R/o Village Ratkudiya, P.s. Bhopalgarh, District Jodhpur (Rajasthan), Presently Resident Of C/o Om Prakash Bishnoi Pethlav Nadi, Mandore, Jodhpur. (Lodged In District Jail, Jodhpur).

----Petitioner

Versus

State, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. Dhanpat Choudhary 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 third 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. 378/2019, Police Station Mandore, District Jodhpur for the offence under Section 384, 354/C, 325, & 376 of IPC, under Section 3/4 of POCSO Act and under Section 67 of Information & Technology Act.

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

After the rejection of the second bail application of the petitioner on 06.08.2020, the prosecutrix Mst. 'N' has appeared before the trial court as P.W.1. She has not supported the prosecution case and thus, she has been declared hostile. He further submits that except the testimony of Mst. 'N' , there is no other evidence on record to show the connectivity of the present petitioner with the offence alleged in this case. Therefore, it is prayed 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 third bail application filed under Section 439 of Cr.P.C. is allowed. It is ordered that the accused-petitioner –**Laxman Meghwal S/o Shri Ramkishore @ Sheru** arrested in connection with F.I.R. No. 378/2019, Police Station Mandore, District Jodhpur 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

19-/VivekM/-