**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR**

S.B. Criminal Misc. 2nd Bail Application No. 13604/2020

Subhash Godara S/o Late Shri Jugta Ram, Aged About 26 Years, R/o Vishnu Nagar, Lunawas Khara Police Station Jhanwar, District Jodhpur.

(At Present Lodged In District Jail, Jalore).

----Petitioner

Versus

State Of Rajasthan, Through P.p.

----Respondent

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

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**HON'BLE MR. JUSTICE VINIT KUMAR MATHUR**

**Order**

**10/12/2020**

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.211/2019, Police Station Siwana, District Barmer for the offences under Sections 341, 307 and 397 of IPC and Section 5/27 of Arms Act.

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

Learned counsel for the petitioner submits that after the rejection of the first bail application of the petitioner by this Court on 20.07.2020, the charge-sheet in the case has been filed. He

further submits that the complainant Arun Sharma has not identified the petitioner at the time of identification prayed. He further submits that the present petitioner was not even present at the time of incident. The conclusion of trial will take sufficient long time. 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 second bail application filed under Section 439 of Cr.P.C. is allowed. It is ordered that the accused-petitioner - **Subhash Godara S/o Late Shri Jugta Ram** arrested in connection with F.I.R. No. 211/2019, Police Station Siwana, District Barmer 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**

11-Payal/-