HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Misc. 2nd Bail Application No. 13915/2020

1. Vikram Singh S/o Shri Madan Singh, Aged About 35 Years, B/c Rao, R/o Asada, P.s. Balotra, Dist. Barmer.
2. Prakash Singh S/o Shri Khushal Singh, Aged About 34 Years, B/c Rao, R/o Bhakharpura, Police Station Gudamalani, Dist. Barmer.
   (Presently Lodged In Sub Jail, Balotra).

----Petitioners

Versus

State of Rajasthan

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 13913/2020

Narpat Singh S/o Shri Chandi Dan, Aged About 40 Years, B/c Rao, R/o Hotigaon, Police Station Chitalwana, Dist. Jalore. (Presently Lodged In Sub Jail, Balotra).

----Petitioner

Versus

State of Rajasthan

----Respondent

For Petitioner(s)	:	Mr. Pradeep Kumar Shah for Mr. C. S. Rathore, through video conferencing on "Cisco Webex App"
For Respondent(s)	:	Mr. Shrawan Kumar Bishnoi,PP Ms. Deepika Soni, for the complainant, through video conferencing on "Cisco Webex App"

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

10/12/2020

S.B. Criminal Misc. 2nd Bail Application No. 13915/2020:-

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 petitioners who are in custody in connection with F.I.R. No.393/2020, Police Station Balotra, District Barmer for the offence under Section 379/34 of the I.P.C.

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

Learned counsel for the petitioners submits that after rejection of the first bail application of the petitioners by this Court on 02.11.2020, the charge-sheet in the case has been filed. He further submits that the offence alleged against the present petitioners is triable by the Magistrate. He, therefore, prays that the petitioners may be enlarged on bail.

Learned Public Prosecutor & learned counsel for the complainant have vehemently opposed 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 petitioners on bail.

Consequently, the present second bail application filed under Section 439 of Cr.P.C. is allowed. It is ordered that the accused-petitioners **-(1)Vikram Singh S/o Shri Madan Singh, (2)Prakash Singh S/o Shri Khushal Singh** arrested in connection with F.I.R. No.393/2020, Police Station Balotra, District Barmer shall be released on bail provided each of them 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.

S.B. Criminal Misc. Bail Application No. 13913/2020:-

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 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.393/2020, Police Station Balotra, District Barmer for the offence under Section 379/34 of the I.P.C.

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

Learned counsel for the petitioner submits that the charge-sheet in the case has been filed. He further submits that the offence alleged against the present petitioner is triable by the Magistrate. Therefore, it is prayed that the petitioner may be enlarged on bail.

Learned Public Prosecutor & learned counsel for the complainant have vehemently opposed 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 bail application filed under Section 439 of Cr.P.C. is allowed. It is ordered that the accused-petitioner –**Narpat Singh S/o Shri Chandi Dan** arrested in connection

with F.I.R. No.393/2020, Police Station Balotra, 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

21-22 SunilS/-

RAJASTHAN HIGH COURT

