HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13803/2020

Nemichand S/o Shri Dhagla Ram, Aged About 37 Years, By Caste Meghwal, R/o Meghwalo Ka Bas, Kushalpura, District Pali.
(At Present Lodged In Central Jail Jodhpur).

----Petitioner

Versus

State Of Rajasthan

----Respondent

For Petitioner(s)	:	Mr. Ram Kisha Bishnoi, through video conferencing on "Cisco Webex App"
For Respondent(s)	:	Mr. S. K. Bhati, PP Ms. Yogita Mohanani, for the complainant, through video conferencing on "Cisco Webex App"

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

08/12/2020

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 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.333/2020, Police Station Bilara, District Jodhpur for the offence under Sections 498-A & 306 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 because of the domestic disturbance, the deceased(petitioner's wife) went

to her parental house. He further submits that there were certain exchange of telephone calls between the petitioner and his in-laws. When the deceased went to her parental house, her children were staying with the present petitioner and on being asked to deliver the children to her, the petitioner did not do so and, therefore getting frustrated, she consumed poison. 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 –**Nemichand S/o Shri Dhagla Ram** arrested in connection with F.I.R. No.333/2020, Police Station Bilara, 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

20-SunilS/-