HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 14196/2020

Jhumar Lal @ Jhumbar Lal S/o Deva Ram, Aged About 25 Years, Khoksar (East), Police Station Gida, District Barmer (Raj.). (In Judicial Custody At Central Jail, Udaipur).

----Petitioner

Versus

State, Through P.p.

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 14195/2020

1. Deva Ram S/o Rana Ram, aged 26 years, R/o Jagram ki Dhani, Pareu, Police Station Gida, District Barmer. (Raj.)

2. Sanga Ram S/o Rana Ram, aged 23 years, R/o Jagram ki Dhani, Pareu, Police Station Gida, District Barmer (Raj.)

(In Judicial custody at Central Jail, Udaipur)

----Petitioners

Versus

State of Raj., Through P.P.

----Respondent

For Petitioner(s)	:	Mr. J.S. Choudhary, Sr. Adv. Assisted by Mr. Pradeep Chowdhary through video conferencing
For Respondent(s)	:	Mr. Laxman Solanki, PP

HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA

Judgment / Order

05/12/2020

The present bail application has been filed under Section 439 Cr.P.C. on behalf of the petitioners, who are in judicial custody in connection with C.R. Case No.226/2020, Police Station Bhupalpura, District Udaipur, registered for the offence under Sections 420, 419, 467, 468, 120-B of IPC and Section 3/6 of

Rajasthan Public Examination (Prevention of Unfair Means) Act, 1992.

Heard and considered the arguments advanced by the learned senior counsel for the petitioner appearing through video conferencing and learned Public Prosecutor present in person. Perused the material available on record.

Learned senior counsel for the petitioners appearing through video calling stated that in similar circumstances, benefit of bail has already been granted by the coordinate Bench of this Court to co-accused persons, namely, Rakesh and Naresh (Bail Application No. 13737/2020 and 13738/2020); offences are triable by Magistrate and trial will take time. With these submissions, learned counsel for the petitioners prayed that the benefit of bail may be granted to the accused-petitioners.

Per contra, learned Public Prosecutor stated that there is specific allegation against the accused-petitioners and opposed the bail application of the accused-petitioners.

Having regard to the facts and circumstances of the case, particularly to the fact that offences are triable by Magistrate and the benefit of bail has already been granted to the co-accused persons by a co-ordinate Bench of this Court vide order dated 27.11.2020, as mentioned above and the trial will take sufficiently long time, therefore, without expressing any opinion on the merits/demerits of the case, this Court is of the opinion that the bail application filed by the petitioners deserves to be accepted.

Consequently, the bail application is allowed. It is ordered that the accused-petitioners No.1. - Jhumar Lal @ Jhumbar Lal S/o Deva Ram, 2. Deva Ram S/o Rana Ram, 3. Sanga Ram S/o

Rana Ram, arrested in connection with C.R. Case No. 226/2020, Police Station Bhupalpura, District Udaipur, shall be released on bail provided each of them 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.

(DEVENDRA KACHHAWAHA),J

39-40/amit/-

RAJASTHAN HIGH COURT

