HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13994/2020

Anil S/o Sh. Uda Ninama, Aged About 20 Years, B/c Bheel, R/o Barisiyatalai, Banswara Kotwali Police Station, Banswara, Dist. Banswara. (Confined In District Jail, Banswara).

----Petitioner

Versus

State, Through Pp

----Respondent

For Petitioner(s) : Mr. Bhawani Singh Mertia (on VC)
For Respondent(s) : Mr. Mahipal Bishnoi, PP

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

04/12/2020

In wake of onslaught of COVID-19, lawyers have been advised to refrain from coming to the Courts.

This Court perused the material available on record.

The petitioner has been arrested in connection with FIR No.346/2020 of Police Station Banswara Kotwali, District Banswara for the offence punishable under Section 305 IPC. He has preferred this bail application under Section 439 Cr.P.C.

Learned counsel for the petitioner submits that charge sheet in this case has already been filed. He further submits that the allegation is that the petitioner was having an affair with the deceased girl, but no aggravating circumstance has been pointed by the prosecution.

Learned Public Prosecutor opposed the bail application but has not been able to point out any aggravating circumstance warranting the continuance of custody of the present petitioner, who is 20 years of age.

Having regard to the totality of the facts and circumstances of the case as also the fact that charge sheet in this case has already been filed and conclusion of the proceedings is likely to take some time and without expressing any opinion on the merits of the case, this Court deems it just and proper to grant bail to the accused petitioner under Section 439 Cr.P.C.

Accordingly, this bail application filed under Section 439 Cr.P.C. is allowed and it is directed that petitioner **Anil S/o Sh. Uda Ninama** shall be released on bail in connection with FIR No.346/2020 of Police Station Banswara Kotwali, District Banswara provided he executes a personal bond in a sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(DR.PUSHPENDRA SINGH BHATI),J.

26-Zeeshan/-