HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 14225/2020

Pintu W/o Shri Mishrilal, by caste Meghwal, Aged About 32 Years, R/o Ramdev Nagar, Harlaya, PS Motoda, Dist. Jodhpur, Rajasthan.
(At Present Lodged In Central Jail Ajmer).

----Petitioner

Versus

State of Raj., Through P.P.

----Respondent

For Petitioner(s)	:	Mr. Kaushal Sharma through VC
For Respondent(s)	:	Mr. Farzand Ali, GA-cum- AAG assisted by Mr. Sudhir Tak, PP

HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA

Judgment / Order

16/12/2020

The present interim bail application has been filed under Section 439 Cr.P.C. on behalf of the petitioner, who is in judicial custody in connection with F.I.R. No.196/2020, Police Station Matoda, Jodhpur (Rural), registered for the offences under Section 302, 201, 34 of IPC.

Heard learned counsel for the petitioner through video conferencing as well as learned Govt. Advocate cum Additional Advocate General assisted by learned Public Prosecutor present in person. Perused the material available on record.

Learned counsel for the petitioner seeks interim bail for a period of four months on the ground of delivery of petitioner. He also submitted photocopies of medical records of petitioner in which due date of delivery mentioned is 28.12.2020 to 31.12.2020, therefore, he prayed that interim bail for a period of one month may be granted to the accused-petitioner.

Learned Govt. Advocate cum Additional Advocate General assisted by learned Public Prosecutor does not controvert the arguments of learned counsel for the petitioner that due date of delivery of petitioner is between 28.12.2020 to 31.12.2020.

Having regard to the facts and circumstances of the case and in the interest of justice, without expressing any opinion on the merits/demerits of the case, I deem it just and proper to enlarge the accused-petitioner on interim bail under Section 439 Cr.P.C. only for a period of two months from the date of his actual release.

Accordingly, the interim bail application filed under Section 439 Cr.P.C. is allowed and it is directed that accused-petitioner-Pintu W/o Shri Mishrilal, shall be released in connection with FIR No.196/2020, Police Station Matoda, Jodhpur (Rural), on interim bail for a period of **two months** from the date of his actual release from prison on usual terms and conditions to be imposed by the concerned Jail Superintendent and concerned Superintendent of Jail is directed to ensure surrender of the accused-petitioner, provided she furnishes a personal bond in the sum of Rs.1,00,000/- along with two sound and solvent sureties of Rs.50,000/- (out of which one shall be of a close family member) each to the satisfaction of the concerned Jail Superitendent on usual conditions. The concerned Jail Superitendent shall be at liberty to impose any other usual terms and conditions for surrender of the petitioner in prison.

(DEVENDRA KACHHAWAHA),J

85-amit/-