HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 14102/2020

Manohar Lal S/o Shri Om Prakash, Aged About 25 Years, Ward No. 6, Kishanpura Utradha, Police Station Sagaria, District Hanumangarh. (At Present Lodged In District Jail, Hanumangarh).

----Petitioner

Versus

State, Through P.p.

----Respondent

For Petitioner(s) : Mr. Rakesh Matoria on VC
For Respondent(s) : Mr. Mahipal Vishnoi, PP

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

08/12/2020

In wake of onslaught of COVID-19, abundant caution is being taken while hearing the matters in Court.

This Court perused the material available on record.

The petitioner has been arrested in connection with FIR No. 318/2020 of Police Station Sangaria District Hanumangarh for the offences punishable under Sections 363, 366, 376 (2) (n), 376 (3)IPC, 3/4 (2), 5L/6 POCSO Act. He has preferred this bail application under Section 439 Cr.P.C.

Learned counsel for the petitioner has drawn attention of this Court towards the statement of prosecutrix who is 16 years of age, which were against the present petitioner. Some Portion of allegation rendered in the statement against others has not been

believed by the prosecution and the chargesheet has been filed only against the present petitioner making the allegation doubtful.

Learned counsel for the petitioner has shown the details of the chats from the number of the petitioner as well as the phone of mother of the prosecutrix. The details of chats provided are taken on record.

Learned Public Prosecutor has opposed the bail application.

Having regard to the totality of the facts and circumstances of the case as also the fact that conclusion of the proceedings is likely to take some time and the chargesheet has been filed, 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 Manohar Lal S/o Shri Om Prakash shall be released on bail in connection with FIR No. 318/2020 Police Station Sangaria District Hanumangarh 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.

ns. 119-1/-