HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 14197/2020

Dhanna Ram S/o Magga Ram, Aged About 25 Years, R/o Taka Station, Alamsar, Chouhtan Police Station, District Barmer. (Lodged In District Jail Bhilwara).

----Petitioner

Versus

State Of Rajasthan, Through P.P.

----Respondent

For Petitioner(s)	:	Mr. B. Ray Bishnoi, through VC
For Respondent(s)	:	Mr. Sudhir Tak, PP

HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA

Order

18/12/2020

The present 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. 38/2020-21, Police Station Bhilwara Excise Circle, District Bhilwara, registered for the offences under Sections 14, 19/54 of the Rajasthan Excise Act.

Learned counsel for the petitioner appearing through video calling stated that offences are triable by the Magistrate; no investigation or recovery is pending against the petitioner; and no other case is pending against the petitioner. With these submissions, learned counsel for the petitioner prayed that the benefit of bail may be granted to the petitioner.

Per contra, learned Public Prosecutor has opposed the bail application of the accused-petitioner.

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

Having regard to the facts and circumstances of the case, particularly to the facts that as per rejection order itself, no other case is pending against the accused-petitioner; offence is triable by the Magistrate; further investigation and 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 petitioner deserves to be accepted.

Consequently, the bail application is allowed. It is ordered that the accused-petitioner **Dhanna Ram S/o Magga Ram**, arrested in connection with **F.I.R. No. 38/2020-21, Police Station Bhilwara Excise Circle, District Bhilwara,** shall be released on bail provided he 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

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