HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13943/2019

Rohitash S/o Shri Subhasgiri, Aged About 23 Years, By Caste Gosai, R/o Panditawali, Police Station Pilibanga, District Hanumangarh.

----Petitioner

Versus

State, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. Hamir Singh Sindhu
For Respondent(s)	:	Mr. Mahipal Bishnoi, PP

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

27/01/2020

The present application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with F.I.R. No.330/2019, Police Station Pilibanga for the offences under Sections 307, 447, 323, 341, 382, 34 of IPC.

Heard learned counsel for the appellant and learned Public Prosecutor. Perused the material available on record.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. There is no recovery which has been effected from the petitioner. The petitioner has not been named in the F.I.R and the petitioner is not the person who is known as Akash.

Per contra, learned public prosecutor on the basis of the case diary submits that it has been stated by the injured person that present petitioner is only the person who has been known as

Akash. The present petitioner was involved in assaulting the victim. The investigation reveals that there is no person named Akash who is the son of Subashgiri except the present petitioner.

Having regard to the totality of the facts and circumstances of the case and looking to the nature of accusation and gravity of the offence, without expressing any opinion on the merits of the case, I am not inclined to grant anticipatory bail under Section 438 Cr.P.C. to the petitioner.

Accordingly, the bail application preferred by the petitioner under Section 438 Cr.P.C. is dismissed.

(VINIT KUMAR MATHUR),J

47-SanjayS/-

RAJASTHAN HIGH COURT
सत्यमेव जयते