HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT JAIPUR

S.B. Criminal Appeal (Sb) No. 3430/2024

Mahesh @ Santosh S/o Dharmsingh, Aged About 25 Years, R/o Kalwan, Police Station Manpur, District Dausa(Raj). (At Present Confined In District Jail Dausa).

----Appellant

Versus

1. State Of Rajasthan, Through P.p.
2. Girraj S/o Ramchandra, Aged About 54 Years, R/o Rudawali Dhani Brahmin Bairada, Police Station Sikandara, District Dausa.

----Respondents

For Appellant(s)	:	Mr. Surendra Singh, Adv.
For Respondent(s)	:	Mr. Jai Prakash Tiwari, P.P.

HON'BLE MR. JUSTICE UMA SHANKER VYAS
Judgment / Order

20/12/2024

Learned Public Prosecutor has apprised this Court that compliance of Section 15-A (3) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short "the Act of 1989") has been made in the present case.

The present criminal appeal under Section 14-A of the Act of 1989 has been filed in connection with FIR No.440/2024 registered at Police Station Sikandara, District Dausa for the offence under

Section(s) 189(2), 115(2), 126(2), 109(1), 191(2), 191(3) & 352 of BNS, under Section(s) 3/25 & 3/27 of Arms Act and under Section(s) 3(1)(r), 3(1)(s) & 3(2)(V) of the Act of 1989.

It is contended by learned counsel for the appellant that the appellant is innocent and has falsely been implicated in this case. He further submits that charge sheet has been filed. He also submits that that the accused-appellant has been in judicial custody since long and the conclusion of the trial will take long time, hence prays for his release on bail.

Learned Public Prosecutor has opposed the appeal.

Taking into consideration the overall facts and circumstances of the case and the fact that charge sheet has been filed, but without expressing any opinion on the merits and demerits of the case, this Court deems it just and proper to enlarge the appellant on bail.

The order dated **17.12.2024** passed by the learned Special Judge, SC/ST (Prevention of Atrocities Cases), Dausa (Rajasthan) is quashed and set-aside and this appeal is accordingly allowed. It is directed that accused appellant **Mahesh @ Santosh**

S/o Dharmsingh shall be released on bail provided he furnishes a personal bond in the sum of Rs.1,00,000/- (Rupees One Lac Only) together with two sureties in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) each to the satisfaction of the learned trial Court with the stipulation that he shall appear before that Court and any Court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so and shall comply with all the conditions laid down under Section 437(3) Cr.P.C./480(3) BNSS.

(UMA SHANKER VYAS),J

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