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IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR

ORDER

IN

S. B. Cr. Mi sc. Bai l Appl icati on No. 5683/2010

Suman @ Seetu Vs. The State of  
Rajasthan through Public  
Prosecutor

Date of Order ::: 23.06.2010

Hon' ble Mr. Justice Mohammad Rafiq, VJ.

Shri D.K. Garg for  
Shri S.K. Gupta, Counsel for petitioner  
Shri Amit Punia, Public Prosecutor  
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By the Court: -

Heard learned counsel for petitioner as well as learned Public Prosecutor and perused the material made available to me during the arguments of the case.

Contention of learned counsel for petitioner is that petitioner has falsely been implicated in the present case for offence under Section 376 IPC, whereas main allegation of causing such offence is against co-accused; the prosecutrix in her statement under Section 164, Cr.P.C., has clearly stated that in fact the present petitioner, on hue and cry of the prosecutrix, came there and called the family members of the prosecutrix and that the petitioner did not close the gate from outside. The petitioner is in jail for last one month; challan has already been filed. Trial of the case is likely to take a long.

Learned Public Prosecutor opposed the bail application.

After considering all the facts and circumstances of the case and without expressing any opinion on its merits and demerits, I deem it just and proper to release the accused-petitioner, namely, Suman @ Seetu Wife of Rajiv and Daughter of

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Murlidhar, on bail under Section 439 Cr.P.C., in FIR No.98/2010, Police Station Mandhan, District Alwar, provided she furnishes a personal bond in the sum of Rs.30,000/- with two sureties of Rs.15000/- each to the satisfaction of the trial court for her appearance on all subsequent dates of hearing and as and when called upon to do so.

The bail application stands disposed of.

(Mohammad Rafiq) VJ.

//Jaiman//