

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JAIPUR BENCH, JAIPUR

ORDER

SB Cr Misc Bail Application No. 4195/2010

Dhanpal Versus The State of Rajasthan through PP

28.5.2010

HON'BLE MR JUSTICE MN BHANDARI

Mr Govind Chaudhary - for petitioner

Mr Peeyush Kumar, PP – for the State

BY THE COURT:

Heard learned counsel for the parties and perused the record of the case.

Learned counsel for the petitioner submits that co-accused has been released on bail under section 439 CrPC. Thus petitioner may be granted benefit of anticipatory bail.

On the other hand, learned PP has opposed the bail application moved by the petitioner. He submits that cases have been registered against the petitioner under the provisions of Rajasthan Excise Act and there is a bar for entertaining application for bail under section 438 CrPC therein. There exist previous cases

against the petitioner also.

After taking into consideration rival submissions of learned counsel for the parties and without expressing any opinion on merits of the case, which may otherwise affect outcome of the trial, but looking to the facts of this case, I am not inclined to grant bail to the petitioner. Hence, the bail application is dismissed.

(MN Bhandari), J.

bnsharma