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IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER

IN

S. B. Cr. Mi sc. Bail Application No. 420/2012

Dinesh Kumar Vs. State of
Rajasthan through Public
Prosecutor

Date of Order ::: 31.01.2012

Hon'ble Mr. Justice Mohammad Rafiq

Shri Shailender Balwada, 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 material made available to me during course of arguments.

Contention of learned counsel for petitioner is that statement of prosecutrix has been recorded during trial before the court as PW-1, who is aged 25 years and she has turned hostile and not supported the prosecution case. He placed a copy of the statement for perusal of the court. A copy of the statement is taken on record. Petitioner is in jail for last about four and a half month. There is no other criminal case ever registered against the petitioner.

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, I deem it just and proper to allow this bail application. It is therefore ordered that accused-petitioner, namely, Dinesh Kumar S/o Shri Bhinwaram, R/o Bharu, Police Station Mandawa, District Jhunjhunu (presently confined in District Jail, Jhunjhunu) be released on bail under Section 439 Cr.P.C., in FIR No. 75/2011, Police Station Malsisar, District

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Jhunjhunu, for offence under Sections 366, 376 IPC, provided he furnishes a personal bond in the sum of Rs. 50,000/- with two sureties of Rs. 25000/- each to the satisfaction of the trial court for his appearance on all subsequent dates of hearing and as and when called upon to do so.

The bail application stands disposed of.

(Mohammad Rafiq) J.

//Jaiman//

All corrections made in the judgment/order have been incorporated in the judgment/order being emailed.

Giriraj Prasad Jaiman
PS-cum-JW