

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

**ORDER**

**S. B. CRIMINAL MISC. BAIL APPLICATION NO. 8881/2014**

(Jitendra @ Jitu Vs. State of Rajasthan)

Date of order : : 31.10.2014

**HON'BLE MS. JUSTICE NIRMALJIT KAUR**

Mr. Madanlal, father of the petitioner is present in person.  
Mr. K.V. Vyas, Public Prosecutor, for the State.

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The present bail application has been filed under Section 439 of Cr.P.C. The petitioner has been arrested in connection with FIR No. 245/2014, Police Station Kudi Bhagtasni, Jodhpur for the offence under Section 392 of I.P.C.

As per the allegations in the F.I.R., two persons came and robbed the complainant of Rs. 800/-. These two persons were riding a motor-cycle of without number. It is admitted by the complainant in the F.I.R. that he cannot recognize them as it was dark. Thus, there was no identification parade. How the petitioner is found to be involved is not clear. The recovery is of Rs. 300/- out of Rs. 800/- and a knife. Admittedly, the motor-cycle was without number. Thus, recovery of same in itself without corroborating evidence may not be sufficient at this stage.

It is pointed out that the marriage of the petitioner is fixed for 04.11.2014.

Taking into account the facts and circumstances of the case, this Court deems it just and proper to release the petitioner on bail.

Accordingly, the bail application under Section 439 of Cr.P.C. is allowed and it is ordered that the accused-petitioner – Jitendra @ Jitu S/o Madan shall be enlarged on bail provided he furnishes a personal bond in the sum of Rs. 50,000/- with two sureties of Rs. 25,000/- (out of which one of the surety will be of close family member) each to the satisfaction of the learned trial Judge for his appearance before the court concerned on all the dates of hearing as and when called upon to do so.

However, nothing said herein will have any bearing on the merits of the case during the trial.

The application (CRLMA 807/2014) is, accordingly, rendered infructuous.

**(NIRMALJIT KAUR), J.**