

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH JAIPUR

S.B. Criminal Misc. IInd Bail Application No.3823/2015

Rajendra Kumar Soni

Versus

State of Rajasthan

DATE OF ORDER : 31/07/2015

HON'BLE MR. JUSTICE M.N. BHANDARI

Mr. Sandeep Sharma, for petitioner

Mr. Sudesh Saini, P.P., for the State

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

It is stated that a settlement has been arrived between the parties. The schedule of payment has been given which will start from the date of release of the petitioner from jail. As per schedule, payments are to be made on monthly basis. A sum of Rs.5 lacs has already been paid by the petitioner and remaining amount would be paid on release from jail. The petitioner may accordingly be granted bail.

Learned Public Prosecutor has opposed the bail application.

After considering rival submissions of 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 of the view that the petitioner deserves to be enlarged on bail.

Accordingly, second bail application under Section **439 Cr.P.C.** is allowed. It is ordered that the accused-petitioner-Rajendra Kumar Soni S/o Shri Daulal Soni in FIR No.224/2011, registered with Police Station Bajaj Nagar, Jaipur be released on bail provided he furnishes a personal bond in the sum of Rs.50,000/- together with one surety in the like amount to the satisfaction of the learned trial court for his appearance before the court on all subsequent dates of hearing and as and when called upon to do so.

It is however made clear that if schedule given in the affidavit at Annexure-2 is not adhered to, then this bail application would be cancelled. Since dates given in the schedule have already expired thus it should be taken as rescheduled with the gap of period given therein from the date of release.

To see that payments are made after release as per agreement, list this disposed of bail application on 5th October, 2015. In case it is found that there is default in making payment, as agreed, this bail order would be cancelled by this court.

[M.N.BHANDARI], J.

FRBOHRA

Certificate:

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

FATEH RAJ BOHRA, Sr. P.A.