

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

S.B. CR. MISC. SECOND BAIL APPLICATION NO.7346/2016.

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Mahesh Rana Vs. State of Rajasthan

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Date of Order :: 31.08.2016.

HON'BLE MR. JUSTICE PRASHANT KUMAR AGARWAL.

Mr. Ajay Sharma, for the petitioner.
Mr. Rajendra Raghav, Public Prosecutor.

Heard learned counsel for the parties.

This is second bail application filed by the petitioner on the ground that the statement of the prosecutrix has been recorded during trial. The first bail application was dismissed as withdrawn on 30.1.2016.

On consideration of submissions made on behalf of the respective parties and the material made available for my perusal as well as the evidence collected during investigation, which has been placed on record by way of copy of the charge-sheet, and also the statement of the prosecutrix recorded during trial and more particularly looking to the age of the prosecutrix at the time of alleged incident, but without expressing any final opinion on the merit and de-merit of the case, I am now inclined to grant benefit of bail to the accused-petitioner.

Consequently, the second bail application filed under Section 439 Cr.P.C. is allowed.

It is ordered that the accused-petitioner Mahesh Rana S/o Ram Kishan Rana in F.I.R. No.402/2015, registered at Police Station Anantpura, District Kota, shall be released on bail; provided he furnishes a personal bond of Rs.50,000/- and two surety bonds of Rs.25,000/- each to the satisfaction of the learned trial court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.

(PRASHANT KUMAR AGARWAL),J.