

**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail Application No. 17708/2019

Nitesh Kumar S/o Ram Veer Singh B/c Jaat, Aged About 22 Years, R/o Vill. Kheda Meda Ps Katumar Alwar Raj. (At Present Confined At Central Jail Bharatpur)

----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor

----Respondent

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For Petitioner(s) : Mr. Deepak Chauhan with  
Mr. Amitabh Jatav

For Respondent(s) : Mr. Fateh Ram Meena, PP for State

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**HON'BLE MR. JUSTICE NARENDRA SINGH DHADDHA**

**Order**

**20/12/2019**

1. The present bail application has been filed under Section 439 Cr.P.C. The petitioner has been arrested in connection with FIR No. 417/2019 Registered at Police Station Kumher, District Bharatpur for the offence(s) under Sections 363, 376 and 366 of IPC and Section 3/4 of POCSO Act.

2. Counsel for the petitioner submits that the prosecutrix in her police statement had not stated about sexual intercourse. After that, she had made a statement about sexual intercourse which cannot be relied upon. Counsel further submits that the petitioner is behind the bars since 29.08.2019 and the conclusion of trial may take long time.

3. Learned Public Prosecutor has opposed the bail application.

4. Considering the contentions put-forth by the counsel for the petitioner and taking into account the facts and circumstances of the case and without expressing any opinion on the merits of the case, this court deems it just and proper to enlarge the petitioner on bail.

5. Accordingly, the bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner **Nitesh Kumar S/o Ram Veer Singh** 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/- 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.

**(NARENDRA SINGH DHADDHA),J**

**Gourav/14**

