

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

S.B. Criminal Miscellaneous Bail Application No. 3310/2020

Deva@dev S/o Bajsingh, R/o Vill. Chhapar Mohalla Kumher Tehsil Kumher Dist. Bharatpur Raj. (At Present Confined In Central Jail Bharatpur Raj.)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. Naresh Kumar Singhal

For Respondent(s) : Mr. Atul Sharma with Mr. Pankaj, Public Prosecutor.

HON'BLE MR. JUSTICE CHANDRA KUMAR SONGARA

Order

29/04/2020

Heard learned counsel for the petitioner and learned Public Prosecutor through Video Conferencing.

This bail application has been filed under Section 439 Cr.P.C. in connection with FIR No. 34/2019-2020 registered at Police Station Excise Anti Evasion Team, Bharatpur Rural, District Bharatpur for the offence(s) under Section 16/54 of the Rajasthan Excise Act.

Learned counsel for the petitioner submits that the accused-petitioner was not caught at the time of alleged incident and alleged offence is triable by the Magistrate and the conclusion of trial will take long time. Now, the accused-petitioner is behind the bars since 24.02.2020 nothing would be remained to be recovered from its possession and prayed he may be granted bail.

Learned Public Prosecutor has opposed the bail application.

Looking to the submissions made by counsel for the petitioner and the fact that the petitioner is behind the bars since 24.02.2020, but without expressing any opinion on the merits and demerits of the case, I deem it just and proper to enlarge the petitioner on bail.

Accordingly, the bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner **Deva@dev S/o Bajsingh** 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.

(CHANDRA KUMAR SONGARA),J

Ashish Kumar/22



सत्यमेव जयते