

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

S.B. Criminal Miscellaneous Bail Application No. 6419/2020

1. Neva Lal S/o Nandlal @ Nanda, R/o Jalimpura, Ps Chechat, Distt. Kota Presently Confined In Sub Jail, Ramganj Mandi
2. Banshilal S/o Nandlal @ Nanda, R/o Jalimpura, Ps Chechat, Distt. Kota Presently Confined In Sub Jail, Ramganj Mandi
3. Sanwarlal @ Sanwala S/o Kanha Ji, R/o Devli Kalan Ps Chechat, Distt. Kota Presently Confined In Sub Jail, Ramganj Mandi

----Petitioners

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s)	:	Mr. Dinesh Kumar Garg
For Respondent(s)	:	Mr. Pankaj Agarwal, PP

HON'BLE MR. JUSTICE GOVERDHAN BARDHAR

Order

31/07/2020

Learned counsel for the petitioner seeks permission of the Court to withdraw the bail application qua petitioner No.1 – Neva Lal S/o Nandlal @ Nanda with liberty to file afresh after filing of the challan.

Permission as sought for is granted.

Accordingly, the misc. bail application qua petitioner No.1 – Neva Lal S/o Nandlal @ Nanda is dismissed as withdrawn with liberty as prayed for.

Heard on bail application qua petitioner No.2 (Banshilal S/o Nandlal @ Nanda) and 3 (Sanwarlal @ Sanwala S/o Kanha Ji).

This bail application has been filed under Section 439 Cr.P.C.

Brief facts of the case are that an FIR No.98/2020 was registered at P.S. Chechat Distt. Kota Rural for the offences mentioned therein against the accused petitioners. During the course of investigation, the accused petitioners were arrested. Thereafter they moved the bail application before the trial court, which vide impugned order dismissed the same. Hence this bail application has been filed on behalf of the petitioners.

Learned counsel for the petitioner has contended that no criminal case is made out against petitioner Nos.2 and 3 and they have not named the FIR. They have not participated in the alleged assault and have no criminal antecedents. It has also been contended that the accused petitioners are in judicial lockup since long, trial of the case is likely to take time, hence the accused petitioner No.2 and 3 be released on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

Taking into consideration the submissions advanced by the learned counsel for accused petitioner, note of the allegations levelled against the petitioners as also looking to the facts and circumstances of the case, but without expressing any opinion on the merits and demerits of the case, I deem it just and proper to release the petitioner Nos.2 and 3 on bail.

Therefore, this bail application qua petitioner No.2 (Banshilal S/o Nandlal @ Nanda) and 3 (Sanwarlal @ Sanwala S/o

Kanha Ji) is allowed and it is directed that accused petitioners **Banshilal S/o Nandlal @ Nanda and Sanwarlal @ Sanwala S/o Kanha ji** shall be released on bail under Section 439 Cr.P.C. in connection with afore-mentioned FIR registered at concerned Police Station, provided each of them shall furnish a personal bond in the sum of Rs.50,000/- (Rupees fifty thousand) together with two sureties in the sum of Rs.25,000/- (Rupees twenty five thousand only) each to the satisfaction of the trial court with the stipulation that they shall appear before that court on all subsequent dates of hearing and as and when called upon to do so.

(GOVERDHAN BARDHAR),J

Dheeraj /16

