

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

S.B. Criminal Miscellaneous Bail Application No. 8805/2020

Pintu S/o Gopiram, Aged About 19 Years, R/o Raroda Ps Bayan
Dist. Bharatpur Raj.(At Present Confined In Dist. Jail Alwar)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. Girish Khandelwal

For Respondent(s) : Mr. Ramesh Choudhary, PP

HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Order

30/09/2020

This bail application has been filed under Section 439 Cr.P.C. in connection with FIR No.338/2020 registered at Police Station, Kherli, District Alwar, for offence under Sections 363, 366-A IPC.

Learned counsel for the accused petitioner submits that the statement of the prosecutrix was recorded under Section 164 Cr.P.C. and she has stated that she had left her house on her own will and went to the accused petitioner's house as she knew him. However, she has also stated that the accused petitioner had not committed any wrong act with her and thereafter, she has come to her house.

Learned Public Prosecutor has opposed the bail application.

Taking into consideration the overall facts and circumstances of the case and in view of the statement recorded under Section 164 Cr.P.C., *prima facie*, this Court finds that a case under Sections 363, 366-A IPC is not made out, but without commenting

on merits of the case, I deem it just and proper to enlarge the petitioner on bail.

Therefore, this bail application is allowed and it is ordered that the accused petitioner - Pintu S/o Gopiram be released on bail under Section 439 Cr.P.C. in connection with aforesaid FIR provided the petitioner furnishes a personal bond of Rs.20,000/- with one surety in the like amount to the satisfaction of the concerned Magistrate with the stipulation that he shall comply with all the conditions laid down under Section 437(3) Cr.P.C.

(SANJEEV PRAKASH SHARMA),J

SUNIL SOLANKI /19/5



सत्यमेव जयते