

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

S.B. Criminal Appeal No. 1370/2020

Indraj S/o Hanuman, Aged About 40 Years, R/o Malera, Police Station Narayanpur, Distt. Alwar Raj. (Presently Confined In Central Jail Alwar)

----Appellant

Versus

1. State Of Rajasthan, Through P.p.
2. Smt. Rekha Devi W/o Shri Parasram, Aged About 43 Years, R/o Bharat Nagar, Kasba Narayanpur, Police Station Narayanpur Distt. Alwar.

----Respondents

For Appellant(s) : Mr. Kapil Gupta (through VC)
For Respondent(s) : Mr. Laxman Meena, PP

HON'BLE MR. JUSTICE PRAKASH GUPTA

Order

30/09/2020

This Cr. Appeal has been filed by the appellant under Section 14-A of the Scheduled Casts & Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the Act of 1989').

Facts of the case are that FIR No. 75/2020 was registered at Police Station, Narayanpur, Distt. Alwar for the offence under Sections 341, 323, 354, 379, 504 IPC and Section 3(1)(da), 3(1)(dha) and Section 3(2)(va) of the Act of 1989. The appellant filed the bail application before the Court below, which came to be dismissed vide order dated 3.9.2020. Hence, the present appeal.

Learned counsel for the appellant submits that the appellant is not named in the FIR. Co-accused Rampal, Girraj

and Ashok have been enlarged on bail by the Coordinate Bench of this Court vide order dated 14.9.2020. The case of the appellant is at par with that of co-accused persons, who have been enlarged on bail. The appellant is behind the bars since long and the conclusion of trial is likely to take long time, hence he may be enlarged on bail.

Learned PP appearing for the State has opposed the same.

I have heard learned counsel for the parties and perused the material on record.

Considering the submissions of learned counsel for both the parties and material on record, I deem it just and proper to allow the appeal. Accordingly, the order dated 3.9.2020 passed by the Court below is quashed and set-aside and it is directed that the accused appellant Indraj S/o Hanuman be released on bail provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each before the trial court, subject to its satisfaction, with the stipulation that the appellant shall appear before that court on all subsequent dates of hearing and as and when called upon to do so.

सत्यमेव जयते

(PRAKASH GUPTA), J.