

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S. B. Criminal Misc. Bail Application No. 5508/2020

1. Deepak S/o Ram Swaroop, aged about 30 years, R/o Bajrangpura, Kheda Kanechhan Kalan, Police Station Phuliyan Kala, District Bhilwara.
2. Kishan S/o Nathu Lal, aged about 28 years, By caste Bairwa, R/o Girdharipura, Police Station Karni Vihar, Jaipur At present resident of Kanechhan Kalan, Police Station Phuliyan Kala, District Bhilwara.
(At present lodged in District Jail, Bhilwara).

----Petitioners

Versus

State of Rajasthan

----Respondent

Connected With

S. B. Criminal Misc. 2nd Bail Application No. 5509/2020

Ram Ratan S/o Shri Shankar Lal Bairwa, aged about 19 years, R/o Sarsunda, Police Station Phuliyan Kalan, District Bhilwara.

(At present lodged in District Jail, Bhilwara).

----Petitioner

Versus

State of Rajasthan

----Respondent

For Petitioner(s) : Mr. N.K. Gurjar through video conferencing on 'Jitsi Meet' app

For Respondent(s) : Mr. Shrawan Kumar Bishnoi, P.P.

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

30/05/2020

S. B. Criminal Misc. Bail Application No. 5508/2020

Lawyers are not appearing in the Court in view of the unprecedented situation being faced by the country due to pandemic of novel corona virus (COVID-19).

The present bail application has been filed under Section 439 of Cr.P.C. on behalf of the petitioners who are in custody in connection with F.I.R. No. 24/2020, Police Station Pratapnagar, District Bhilwara for the offences under Sections 380 & 411 of I.P.C.

Heard learned counsel for the parties. Perused the material on record.

Learned counsel for the petitioners submits that the offence alleged in the present case are triable by the Magistrate. He further submits that the charge-sheet in the matter has already been filed and the conclusion of trial will take sufficient long time. He, therefore, prays that the petitioners may be enlarged on bail.

Learned Public Prosecutor opposes the bail application.

Having regard to the peculiar facts and circumstances of the case as also the present situation of the country due to pandemic of corona virus (COVID-19), in particular the jails, this Court deems it just and proper to release the petitioners on bail.

Consequently, the present bail application filed under Section 439 of Cr.P.C. is allowed. It is ordered that the accused-petitioners

(1) Deepak S/o Ram Swaroop and (2) Kishan S/o Nathu Lal
arrested in connection with F.I.R. No. 24/2020, Police Station Pratapnagar, District Bhilwara shall be released on bail provided each of them furnishes a personal bond of Rs.50,000/- (Rupees: Fifty Thousand Only) with two sureties of Rs.25,000/- (Rupees : Twenty Five Thousand Only) each to the satisfaction of the learned trial court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.

S. B. Criminal Misc. 2nd Bail Application No. 5509/2020

The present second bail application has been filed under Section 439 of Cr.P.C. on behalf of the petitioner who is in custody in connection with F.I.R. No. 24/2020, Police Station Pratapnagar, District Bhilwara for the offences under Sections 380 & 411 of I.P.C.

Heard learned counsel for the parties. Perused the material on record.

Learned counsel for the petitioner submits that after rejection of the first bail application of the petitioner by this Court on 24.02.2020, the charge-sheet in the matter has been filed. He further submits that the offence alleged in the present case are triable by the Magistrate. The conclusion of trial will take sufficient long time. He, therefore, prays that the petitioner may be enlarged on bail.

Learned Public Prosecutor opposes the bail application.

Having regard to the peculiar facts and circumstances of the case as also the present situation of the country due to pandemic of corona virus (COVID-19), in particular the jails, this Court deems it just and proper to release the petitioner on bail.

Consequently, the present second bail application filed under Section 439 of Cr.P.C. is allowed. It is ordered that the accused-petitioner - **Ram Ratan S/o Shankar Lal Bairwa** arrested in connection with F.I.R. No. 24/2020, Police Station Pratapnagar, District Bhilwara shall be released on bail provided he furnishes a personal bond of Rs.50,000/- (Rupees: Fifty Thousand Only) with two sureties of Rs.25,000/- (Rupees : Twenty Five Thousand Only) each to the satisfaction of the learned trial court with the

stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.

(VINIT KUMAR MATHUR),J

45 & 46-Inder/-

RAJASTHAN HIGH COURT



सत्यमेव जयते