

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

S.B. Criminal Miscellaneous Bail Application No. 5474/2020

Kishan Singh @ Kalu S/o Ramsingh @ Rama Rawat Meena, Aged About 20 Years, R/o Dheekadiya Kheda, Badisadri Dist. Chittorgarh. (At Present Lodged At Jail, Chittorgarh).

----Petitioner

Versus

State, Through Pp

----Respondent

For Petitioner(s) : Mr. Shreekant Verma, on video call
For Respondent(s) : Mr. Gaurav Singh, PP

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

30/05/2020

In wake of onslaught of COVID-19, lawyers have been advised to refrain from coming to the Courts.

This Court perused the material available on record.

The petitioner has been arrested in connection with FIR No.22/2020 Police Station Badisadri, District Chittorgarh for the offences punishable under Section 363, 366, 376 IPC and Section 3/4 of the POCSO Act. He has preferred this bail application under Section 439 Cr.P.C.

The petitioner, aged 20 years, is in custody since 27.02.2020. Charge-sheet has already been filed.

The prosecutrix in her statements under Section 164 CrPC stated that she wanted to marry the petitioner and has travelled with him to distant places. The prosecutrix has also stated that the alleged Act happened with her consent. Prosecutrix is above

15 years. The main allegation against the petitioner is of enticing the prosecutrix for the purpose of marriage.

Learned Public Prosecutor opposed the bail application in general.

Having regard to the totality of the facts and circumstances of the case as also the fact that conclusion of the proceedings is likely to take some time and without expressing any opinion on the merits of the case, this Court deems it just and proper to grant bail to the accused petitioner under Section 439 Cr.P.C.

Accordingly, this bail application filed under Section 439 Cr.P.C. is allowed and it is directed that petitioner Kishan Singh @ Kalu S/o Ramsingh @ Rama Rawat Meena shall be released on bail provided he executes a personal bond in a sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(DR.PUSHPENDRA SINGH BHATI),J.

33-Sanjay/-

सत्यमेव जयते