

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

S.B. Criminal Miscellaneous Bail Application No. 13731/2020

Manohar Singh S/o Bhojraj Singh, Aged About 26 Years, R/o Araba Chouhan, Police Station Kalyanpur, District Barmer (Raj.). (Lodged In Central Jail, Jodhpur).

----Petitioner

Versus

State, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 13732/2020

Narayan Singh S/o Bhopal Singh, Aged About 50 Years, R/o Araba Chouhan, Police Station Kalyanpur, District Barmer (Raj.). (Lodged In Central Jail, Jodhpur).

----Petitioner

Versus

State, Through Pp

----Respondent

For Petitioner(s) : Mr. JVS Deora, on VC

For Respondent(s) : Mr. Shravan Bishnoi, PP

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

27/11/2020

सत्यमेव जयते

CRLMB No.13731/2020 (Manohar Singh Vs. State) :

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

This Court has perused the material available on record.

The petitioner has been arrested in connection with FIR No.38/2020 of Police Station, Kalyanpura, District Barmer for the offences punishable under Sections 147, 148, 341, 323, 324, 325,

307/149 IPC. He has preferred this bail application under Section 439 Cr.P.C.

Counsel for the petitioner submits that similarly situated co-accused person i.e. Pratap Singh @ Surendra Singh, Shrawan Singh and Ganpat Singh have been enlarged on bail by this Court vide CRLMB No.9557/2020 & 10667 of 2020 on 01.10.2020. The case of present accused-petitioner being not distinguishable, thus, his bail application deserves to be granted.

Learned Public Prosecutor has opposed the bail application.

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 **Manohar Singh S/o Bhojraj Singh** shall be released on bail in connection with FIR No.38/2020 of Police Station, Kalyanpura, District Barmer 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 his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

S.B. Criminal Misc. Second Bail No.13732/2020 (Narayan Singh Vs. State) :

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

This Court has perused the material available on record.

The petitioner has been arrested in connection with FIR No.38/2020 of Police Station, Kalyanpura, District Barmer for the offences punishable under Sections 147, 148, 341, 323, 324, 325, 307/149 IPC. He has preferred this bail application under Section 439 Cr.P.C.

Counsel for the petitioner submits that now charge-sheet has been filed and co-accused persons have been enlarged on bail.

Counsel for the petitioner further submits that earlier while rejecting the bail, liberty was given to the present petitioner Narayan Singh to come back after charge-sheet is filed.

Counsel for the petitioner points out that there are cross-cases and injuries to both the sides.

Learned Public Prosecutor is unable to refute the facts stated.

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 second bail application filed under Section 439 Cr.P.C. is allowed and it is directed that petitioner **Narayan Singh S/o. Bhopal Singh** shall be released on bail in connection with FIR No.38/2020 of Police Station, Kalyanpura, District Barmer 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 his 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.

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RAJASTHAN HIGH COURT



सत्यमेव जयते