

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

S.B. Criminal Miscellaneous Bail Application No. 5017/2021

Vishnu S/o Ram Varan, R/o Kheda Pidavali PS Kanchan Pur
District Dholpur Raj. (At Present Lodged In Jail Dholpur)

----Accused/Petitioner

Versus

State Of Rajasthan, Through P.P.

----Respondent

For Petitioner(s) : Mr. Rati Ram Besla

For Respondent(s) : Mr. F.R. Meena, PP

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL

Order

31/03/2021

The present bail application has been filed under Section 439 Cr.P.C. The petitioner has been arrested in connection with FIR No.337/2019 registered at Police Station Kanchanpur, District Dholpur for the offence(s) under Section(s) 143, 323, 341 & 307 of I.P.C. and later on for the offence under Sections 147, 148, 149, 323, 341 & 307 of I.P.C.

Learned counsel for the petitioner contended that although the petitioner is named in the FIR; but, it does not contain any allegation against him. He submitted that none of the prosecution witnesses has, in his statement recorded under Section 161 CrPC, levelled any allegation against him of inflicting any injury on the person of any of the injured. Learned counsel submitted that the petitioner is in custody since 01.03.2021, investigation as against him is complete, he has no criminal antecedents and prayed for his release on bail.

Learned Public Prosecutor has opposed the bail application.

Taking into consideration the submissions advanced by learned counsel for the petitioner, the nature of allegations against him, his length of custody, the material available in the case diary and absence of criminal antecedents; but, without expressing any opinion on the merits of the case, this Court deems it just and proper to enlarge the petitioner on bail.

Accordingly, the bail application is allowed and it is directed that accused-petitioner **Vishnu S/o Ram Varan** shall be released on bail under Section 439 Cr.P.C. in connection with afore-mentioned FIR registered at concerned Police Station, provided he furnishes a personal bond in the sum of Rs.1,00,000/- (Rupees One Lac only) together with two sureties in the sum of Rs.50,000/- (Rupees Fifty Thousand only) each to the satisfaction of the trial Court with the stipulation that he shall comply with all the conditions laid down under Section 437(3) Cr.P.C.

(MAHENDAR KUMAR GOYAL),J