

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

S.B. Criminal Miscellaneous Bail Application No. 12266/2021

Sourabh Nayak S/o Shri Purushottam, Aged About 23 Years, R/o Kumhari Darwaj Ke Bahar Nayako Ka Mohalla Ps Kotwali Dist. Nagaur At Present House No. B-129 Ward No. 38 Sadulganj Ps Bikaner Sadar Dist. Bikaner (Presently Confined At Central Jail Jaipur)

----Petitioner

Versus

The State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. V.S. Shekhawat

For Respondent(s) : Mr. Mangal Singh Saini PP
Mr. K.C. Surela

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

30/09/2021

In wake of second surge in the COVID-19 cases, abundant caution is being maintained, while hearing the matters in Court, for the safety of all concerned.

This Court perused the material available on record.

सत्यमेव जयते
The petitioner has been arrested in connection with FIR No.134/2021 of Police Station Siprapath, Jaipur for the offences punishable under Sections 376, 388, 389, 323, 504, 506 & 120-B IPC. He has preferred this bail application under Section 439 Cr.P.C.

Learned counsel for the petitioner submits that the physical relationship between the prosecutrix and the petitioner began in

the year 2015 and continued upto 2021, on the pretext of promise to marry.

Learned counsel for the complainant however, submits that now the complainant has been promised that the petitioner shall enter into a matrimonial relationship with her, and thus, the complainant does not oppose grant of bail to the present petitioner.

Thus, 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 **Sourabh Nayak S/o Shri Purushottam** shall be released on bail in connection with FIR No.134/2021 of Police Station Siprapath, Jaipur 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

SHASHI KANT GAUR /37