

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

S.B. Criminal Miscellaneous 2nd Bail Application No. 3803/2022

Mahendra Meena @ Gotya S/o Heeralal, Aged About 23 Years, R/o Kalakho, Police Station Dausa Sadar, District Dausa (Raj.) At Present Private Ambulance Driver, Sms Hospital, Jaipur (At Present Lodge At Central Jail Jaipur)

----Petitioner

Versus

State Of Rajasthan, Through P.p.

----Respondent

For Petitioner(s) : Mr. Amit Jindal, Adv.

For Respondent(s) : Mr. Riyasat Ali, PP

HON'BLE MR. JUSTICE NARENDRA SINGH DHADDHA

Order

31/03/2022

1. The second bail application has been filed under Section 439 Cr.P.C. The petitioner has been arrested in connection with FIR No.129/2021 Registered at Police Station Moti Dungari, Jaipur City (East) for the offence(s) under Sections 376(D), 342 IPC and Section 3 (2) (V) of SC/ST (POA) Act.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He is behind the bars since 26.05.2021. Learned counsel for the petitioner also submits that prosecutrix, during trial, has not supported the story of prosecution. She has not uttered a single word against the petitioner regarding allegation of rape. Conclusion of trial may take long time.

3. Learned Public Prosecutor has opposed the second bail application.

4. Considering the contentions put-forth by the counsel for the petitioner and taking into account the facts and circumstances of the case and without expressing any opinion on the merits of the case, this court deems it just and proper to enlarge the petitioner on bail.

5. Accordingly, the second bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner **Mahendra Meena @ Gotya S/o Heeralal** shall be enlarged on bail provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for his appearance before the court concerned on all the dates of hearing as and when called upon to do so.

(NARENDRA SINGH DHADDHA),J

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