

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

1. S.B. Criminal Miscellaneous Bail Application No.14359/2022

Vikas son of Raju, Resident of Khatik Mohalla, Deeg, Police Station Deeg, District Bharatpur.(Raj.)

----Petitioner

Versus

State of Rajasthan through Public Prosecutor

----Respondent

Connected With

2. S.B. Criminal Miscellaneous Bail Application No.14360/2022

Aakash Sejwal son of Ashok Kumar Sejwal, aged about 15 Years, Minor through Natural Guardian Father Ashok Kumar Sejwal son of Durgaprasad, Resident of Khatik Mohalla, Deeg Police Station Deeg, District Bharatpur (Raj.)

----Petitioner

Versus

State of Rajasthan through Public Prosecutor

----Respondent

For Petitioner(s) : Mr. Gurvindra Singh, Advocate

For Respondent(s) : Mr. Babu Lal Nasuna, Public Prosecutor
Mr. Arpan Kumar Sharma, Advocate for
the Complainant

HON'BLE MR. JUSTICE CHANDRA KUMAR SONGARA

Order

30/09/2022 :

सत्यमेव जयते

Aforementioned applications have been preferred under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners, namely Vikas and Aakash Sejwal in a case arising out of F.I.R. No.186/2022 registered at Police Station Deeg, District Bharatpur for offences punishable under Sections 377 & 34 of Indian Penal Code, under Sections 5 & 6 of POCSO Act, 2012 and under Section 67-B of I.T. Act.

It is submitted by learned counsel appearing for the petitioners that in the present case, the petitioner and the complainant both have entered into a compromise (Annexure-3) and an agreement to this effect has also been executed between the parties mentioning therein that the complainant does not want to proceed further in the matter, hence, they may be enlarged on anticipatory bail.

Learned counsel appearing for the complainant submits that he has no objection, in case the bail applications of the petitioners are granted.

On the other-hand, learned Public Prosecutor appearing for the State, has opposed the bail application.

Heard learned counsel appearing for the petitioners, learned Public Prosecutor appearing for the State and learned counsel appearing for the complainant. Perused the material made available on record.

Taking into consideration the submissions made by the learned counsel appearing for the parties and looking to the facts and circumstances of the present case but without expressing any opinion on the merits and demerits of the case, I deem it just and proper to enlarge the petitioners on anticipatory bail.

Accordingly, these anticipatory bail applications are **allowed** and it is, hereby, ordered that in case of arrest of the petitioners, namely (i) Vikas son of Raju and (ii) Aakash Sejwal son of Ashok Kumar Sejwal, in F.I.R. No.186/2022 registered at Police Station Deeg District Bharatpur, by the Investigating Officer, they shall be released on bail, provided each of them furnishes a personal bond in the sum of Rs.50,000/- together with two sureties in the sum of Rs.25,000/- each to the satisfaction of concerned S.H.O./I.O. on the following conditions :-

- (i) That the petitioners will make themselves available for the investigation as and when required by the Investigating Officer;
- (ii) That the petitioners will not leave India without permission of the Court;
- (iii) That the petitioners will not temper with the evidence or threaten or pressurize the witnesses in the case.

(CHANDRA KUMAR SONGARA),J.

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सत्यमेव जयते