

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

S.B. Criminal Miscellaneous 2nd Bail Application No. 12778/2022

Mahesh Kumar S/o Shri Kishna Ram, Aged About 25 Years, R/o Baganiyon Ki Dhani, Hanuman Nagar, P.s. Bhojasar, Dist. Jodhpur. (Presently Lodged At Central Jail, Jodhpur).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. Kishana Ram, father of petitioner

For Respondent(s) : Mr. Anil Joshi, GA-cum-AAG assisted
by Mr. Rajat Chhaparwal, AAAG

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order

30/09/2022

The petitioner has been arrested in connection with FIR No.343/2022 of Police Station Udaimandir, District Jodhpur for the offence punishable under Sections 419, 420, 120B IPC and Sections 3 & 6 of Rajasthan Public Examination (Prevention of Unfair Means), Act, 1992. He has preferred this second bail application under Section 439 Cr.P.C.

The first bail application was dismissed as not pressed vide order dated 05/08/2022 with liberty to file afresh after filing of the challan.

Mr. Kishana Ram, father of the petitioner submits that now challan of the case has been presented and the offences are triable by the Magistrate. The accused-petitioner is in judicial custody and the trial of the case will take sufficient long time to be

concluded. Therefore, the benefit of bail should be granted to the accused-petitioner.

Learned Public Prosecutor has vehemently opposed the second bail application.

Having regard to the totality of the facts and circumstances of the case, without expressing any opinion on the merits of the case, I deem it just and proper to grant bail to the accused petitioner under Section 439 Cr.P.C.

Accordingly, the second bail application filed under Sec.439 Cr.P.C. is allowed and it is directed that petitioner Mahesh Kumar S/o Shri Kishna Ram shall be released on bail in connection with FIR No.343/2022 of Police Station Udaimandir, District Jodhpur provided he executes a personal bond in a sum of Rs.1,00,000/- with two sound and solvent sureties of Rs.50,000/- 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.

(MANOJ KUMAR GARG),J

9-MS/-

सत्यमेव जयते