

## Ramaram @ Ramu Vs State Of Rajasthan And Others

**Court:** Rajasthan High Court

**Date of Decision:** Feb. 14, 2023

**Acts Referred:** Code Of Criminal Procedure, 1973 " Section 439  
 Indian Penal Code, 1860 " Section 344, 363, 366, 376(2)(N)  
 Protection Of Children From Sexual Offences Act, 2012 " Section 5(L), 6

**Hon'ble Judges:** Kuldeep Mathur, J

**Bench:** Single Bench

**Advocate:** Narpal Ram, NS Bhati

**Final Decision:** Allowed

### Judgement

Kuldeep Mathur, J

This application for bail under Section 439 Cr.P.C. has been filed by the petitioner who has been arrested in connection with F.I.R. No.102/2022,

registered at Police Station Pilwa, District Nagaur, for offences under Sections 344, 363, 366, 376(2)(N) IPC and Section 5(L)/6 POCSO Act.

Learned counsel for the petitioner submits that a false case has been foisted against the petitioner. Learned counsel for the petitioner drew the

Court's attention towards the court statement of the prosecutrix wherein she has stated that she travelled with the petitioner on his motorcycle to

Ajmer, from there, she travelled to Ahmedabad via train. It was further stated that she along with the petitioner returned from Ahmedabad to

Jaipur and thereafter to Sahipura, after which she returned back to her home. Finally, it was submitted that the prosecutrix stayed with the petitioner

for more than 20 days having ample opportunities to disclose the fact of sexual assault or abduction committed upon her. The petitioner is in judicial

custody and the trial of the case will take sufficiently long time, therefore, the benefit of bail should be granted to the accused-petitioner.

Learned Public Prosecutor has opposed the bail application. Having considered the rival submissions, facts and circumstances of the case, without

expressing any opinion on merits/demerits of the case, this Court is of the opinion that the bail application filed by the petitioner deserves to be

accepted.

Consequently, the bail application under Section 439 Cr.P.C. is allowed. It is ordered that the accused-petitioner Ramaram @ Ramu S/o Bhikamchand

arrested in connection with F.I.R. No.102/2022, registered at Police Station Pilwa, District Nagaur, shall be released on bail, if not wanted in any other

case, provided he furnishes a personal bond of Rs.50,000/- (Rupees Fifty Thousand) and two sureties of Rs.25,000/- (Rupees Twenty Five Thousand)

each, to the satisfaction of learned trial court, for his appearance before that court on each & every date of hearing and whenever called upon to do

so till completion of the trial.