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**(2023) 05 RAJ CK 0041**

**Rajasthan High Court**

**Case No:** Criminal Miscellaneous Bail Application No. 4946 Of 2023

Mohan Lal

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

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**Date of Decision:** May 4, 2023

**Acts Referred:**

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 120B, 419, 420, 465, 471
- Rajasthan Public Examination Act, 2022 - Section 3, 7, 10

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

**Bench:** Single Bench

**Advocate:** Jagdish Kumar Vishnoi, S.K. Bhati

**Final Decision:** Allowed

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### **Judgement**

Kuldeep Mathur, J

Heard learned counsel for the petitioners and learned Public Prosecutor. Perused the material available on record.

This application for bail under Section 439 Cr.P.C. has been filed by the petitioners who have been arrested in connection with F.I.R. No.36/2023,

registered at Police Station Vivek Vihar, Jodhpur West, for the offences punishable under Sections 419, 420, 465, 471 & 120B IPC and Section 3, 7 &

10 of Rajasthan Public Examination Act, 2022.

Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in this case. Learned counsel submitted that the co-accused

Somraj (Bail Application No.4974/2023), who appeared on behalf of the petitioner as a dummy candidate in the REET Examination-2022, has already

been enlarged on bail by a Coordinate Bench of this Court vide order dated 02.05.2023 and the case of the present petitioner is not distinguishable with that of the co-accused Somraj. Learned counsel further submitted that no recovery is due to be made from the petitioner. The petitioner is in judicial custody. Challan of the case has already been filed and the trial of the case is likely to consume 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 Mohan Lal S/o Shri Sukhram arrested in connection with F.I.R. No.36/2023, registered at Police Station Vivek Vihar, Jodhpur West, 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 their appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.