

Bhura Ram Vs State Of Rajasthan

Court: Rajasthan High Court

Date of Decision: June 23, 2023

Acts Referred: Code Of Criminal Procedure, 1973 " Section 446, 439
Arms Act, 1959 " Section 3, 5, 25

Hon'ble Judges: Rajendra Prakash Soni, J

Bench: Single Bench

Advocate: Gokulesh Bohra, Laxman Solanki

Final Decision: Allowed

Judgement

Rajendra Prakash Soni, J

1. The prayer made in this bail application filed under Section 439 of the Code of Criminal Procedure (for short "the Code") is for grant of bail in

connection with crime registered pursuant to First Information Report No.153/2023 of Police Station Suratgarh, District Sri Ganganagar in respect of

offence(s) punishable under Section(s) 3/25 & 5/25 of the Arms Act.

2. Learned counsel for the petitioner contends that he has been falsely implicated; that the offences registered under IPC are triable by the

Magistrate. He, therefore, prays that the petitioner may be enlarged on bail.

3. Per contra, learned Public Prosecutor has opposed the bail application and submitted that in the facts of the present case, it is expedient that

accused be kept in the custody.

4. Keeping in view the totality of the facts and circumstances of the case, present bail application is allowed and the petitioner- Bhura Ram S/o Panchi

Ram is ordered to be released on bail subject to their furnishing bail/surety bonds of sufficient amount to the satisfaction of trial court in connection

with the F.I.R. No.153/2023 of Police Station Suratgarh, District Sri Ganganagar with the stipulation to appear before that Court on all dates of

hearing and as and when called upon to do so. This order is subject to the condition that accused, within 7 days of his release and sureties, on the day

of furnishing bail, will also furnish details of their all bank accounts, with bank and branch name, in shape of an affidavit, and submit legible copy of

their Aadhar cards as well as front page of Bank pass book, for smooth recovery of penalty amount, if there arise a need for recovery of penalty

under Section 446 Cr.P.C in future.