

Shankar Lal Vs State Of Rajasthan And Others

Court: Rajasthan High Court

Date of Decision: Jan. 10, 2024

Acts Referred: Code Of Criminal Procedure, 1973 " Section 438
Indian Penal Code, 1860 " Section 120B, 419, 420

Hon'ble Judges: Manoj Kumar Garg, J

Bench: Single Bench

Advocate: Pradeep Shah, Geeta Panpaliya, SK Bhati

Final Decision: Allowed

Judgement

Manoj Kumar Garg, J

This anticipatory bail application has been filed by the petitioner under Section 438 Cr.P.C apprehending his arrest in connection with FIR

No.441/2023 lodged at Police Station Kotwali Barmer, for the offence under Sections 419, 420 & 120-B of IPC.

Learned counsel for the petitioner submits that main accused Joga Ram has been arrested and he has already been enlarged on regular bail and the

present petitioner was merely present on the place of incident. Moreover, no specific role has been assigned against the present petitioner. In such

circumstances, no useful purpose would be served by sending the petitioner behind the bars for indefinite time. Thus, the petitioner may be released on

anticipatory bail.

Learned Public Prosecutor opposes the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and upon a consideration of the arguments advanced at the bar, this Court is of the opinion

that it is a fit case for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C.

Accordingly, the bail application is allowed and it is directed that in the event of arrest of petitioner Shankar Lal S/o Sh. Bhika Ram in connection with

FIR No.441/2023 lodged at Police Station Kotwali Barmer, the petitioner shall be released on bail; provided he furnish a personal bond in the sum of

Rs.50,000/- each along with two sureties of Rs.25,000/- each to the satisfaction of the concerned Investigating Officer/S.H.O. on the following

conditions :-

(i) that the petitioner shall make himself available for interrogation by a police officer as and when required;

(ii) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as

to dissuade him from disclosing such facts to the court or any police officer; and

(iii) that the petitioner shall not leave India without previous permission of the court.