

Diwan Singh S/O Raghuvver Singh vs State Of Rajasthan (2024:Rj-Jp:2186) on 12 January, 2024

Author: Anil Kumar Upman

Bench: Anil Kumar Upman

[2024:RJ-JP:2186]

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 16496/2023

1. Diwan Singh S/o Raghuvver Singh, Aged About 22 Years,
R/o Mohrai, Police Station Kolaras District Shivpuri (Mp).
At Present In Sub Jail, Deeg.
2. Dilip S/o Brajesh, Aged About 19 Years, R/o Badokhar
Police Station Badarbas District Shivpuri (Mp). At Present
In Sub Jail, Deeg.

----Petitioners

Versus

State Of Rajasthan, Through The Pp

----Respondent

For Petitioner(s) : Mr. Hemang Singh Sinsinwar For Respondent(s) : Mr. M. K. Sheoran, PP
HON'BLE MR. JUSTICE ANIL KUMAR UPMAN Order 12/01/2024

1. The instant bail application has been filed under Section 439 of Cr.P.C. on behalf of the petitioners, who have been arrested in connection with FIR No.225/2023 registered at Police Station Kaithwara, District Deeg for the offences under Sections 420, 270, 272 and 308 of IPC and Section 48 of the Food Safety and Standards Act. Later on, police filed the charge-sheet for the offences under Sections 420, 270, 272, 328 and 120-B of IPC and Section 59 of Food Safety and Standards Act.

2. It is contended by learned counsel for the petitioners that the accused-petitioners have falsely been implicated in this case. He submits that according to the laboratory report, sample was found sub-standard and only presence of neutralizer has been [2024:RJ-JP:2186] (2 of 3) [CRLMB-16496/2023] found. No other chemical was found in the sample. There are no criminal antecedents of the petitioner. Petitioners are in custody since 10.11.2023. Charge-sheet has been filed and trial of the case will take considerable time. Further custody of the petitioner would not serve any fruitful purpose.

3. Learned Public Prosecutor opposes the bail application and submits that sample was not found sub-standard and it was not safe for human health.

4. I have considered the contentions.

5. Having regard to the totality of the facts and circumstances of the case; considering the arguments advanced by learned counsel for the petitioners, especially the fact that petitioners are in custody since 10.11.2023; there are no criminal antecedents of the petitioners; charge-sheet has been filed as well as looking to the custody period, but without commenting anything on the merits/demerits of the case, I deem it proper to allow the bail application.

6. This bail application is accordingly allowed and it is directed that accused-petitioners- 1) Diwan Singh S/o Raghuveer Singh and 2) Dilip S/o Brajesh shall be released on bail provided he furnishes a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) together with two sureties in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each to the satisfaction of the learned Trial Court with the stipulation that he shall appear before that Court and any court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

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7. It is made clear that the accused petitioners shall not involve in any other offence(s) during currency of the bail.

8. If any breach of this condition is reported or come to the notice of the Court, the same shall alone be a reason for the trial court to cancel the bail granted to them by this Court.

(ANIL KUMAR UPMAN),J GAUTAM JAIN /122 Powered by TCPDF (www.tcpdf.org)