

**Dhanpal Vs. Emperor**

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**SooperKanoon Citation :** [sooperkanoon.com/468593](http://sooperkanoon.com/468593)

**Court :** Allahabad

**Decided On :** Jun-11-1936

**Reported in :** AIR1936All656

**Appellant :** Dhanpal

**Respondent :** Emperor

**Judgement :**

**Allsop, J.**

1. This appeal is admitted-The appellant has been found guilty of deliberately attempting to shoot a man with a revolver and he has been sentenced to rigorous imprisonment for a period of seven years. He asks to be released on bail. The main argument is that the case against him is a weak one. I have looked at the judgment and I see that the learned Judge has discussed the evidence with great care, and at this stage it is impossible to say anything about the merits of the case. The other point is that the applicant is only 19 years of age and that it will be unfortunate that he should be associated with bad characters in jail if ultimately it is found that he was not guilty. An argument of this kind certainly has some force, but after all it is an argument which could be raised in almost every case, because respectable men even if they are more than 19 years of age may suffer deterioration from detention in jail. I do not think that a man who is convicted of a crime of this type can safely be released on bail until it is established that he is not

guilty or, at any rate, that his conviction is not justifiable. A man is kept in prison not only to prevent his absconding but if there is reason to believe that he has committed crimes of a certain type to prevent him from being a possible danger to the community. I am not prepared to allow bail in this case. The application for bail is rejected. The execution of the sentence of fine may be stayed till the appeal is decided.

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