

Raghuraj Vs. State of Rajasthan

Raghuraj Vs. State of Rajasthan

SooperKanoon Citation : sooperkanoon.com/758075

Court : Rajasthan

Decided On : Dec-22-1989

Reported in : 1990WLN(UC)41

Judge : M.B. Sharma, J.

Appeal No. : S.B. Cr. Misc. Bail Application No. 3719 of 1989

Appellant : Raghuraj

Respondent : State of Rajasthan

Disposition : Application allowed

Judgement :

M.B. Sharma, J.

1. I have heard the learned Counsel and the learned P.P. and have gone through the case diary. Mr. Balwada has shown to me the letter heads of Sinha Nursing Home where address is given as 372, Basant Bihar, Alwar, He has also shown to me the certified copy of the statement of Claim presented by Raghuraj Sen, the accused-petitioner in the Court of Labour and District Judge, Bharatpur on 20-5-89. The said Judge has also jurisdiction over Alwar. It appears from the aforesaid certified copy of the statement of claim that the claim has been filed against Mohit Pathology Laboratory. According to the Mr. Balwada, Mohit is son of Dr. K.L.

Sinha who is proprietor of Sinha Nursing Home, 372, Basant Vihar, Alwar. Though there is no direct material to connect Mohit with Sinha Nursing Home but one thing bears it that on the letter heads the Sinha Nursing Home addressed is 372, Basant Vihar, Alwar and on the claim petition filed by the petitioner much before the incident on 20-5-87, the address of the proprietor Mohit Pathology Laboratory has been given as 372, Basant Vihar, Alwar. At any rate it can be said that both Sinha Nursing Home and Mohit Pathology Laboratory are situated in the same building. It appears that the medical certificate has been given by Dr. Agarwal who is consulting physician in Sinha Nursing Home as appears from the Medical Certificate given by him and from the names of the doctors appears in the letter head of the Sinha Nursing Home. Mr. Balwada contends that to put extra pressure the accused petitioner has been implicated though no injury had been caused by him to injured Gorkhilal. It may or may not be true but taking into consideration the facts and circumstances of the case I hereby allow this application and direct that in the event of arrest of the accused petitioner Raghuraj F.I.R. No. 559/89 P.S. Kotwali, Alwar, the SHO/IO shall release the accused petitioner on bail on his furnishing a personal bond in the sum of Rs. 5,000/- (Rs. Five thousand only) with one surety in the like amount to his satisfaction, undertaking to appear before him for interrogation/investigation as and when called upon to do so and further undertaking not to tamper with any of such persons who are conversant with the facts of the case.