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Gopal Lal Vs. State

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Court : Rajasthan

Decided On : May-29-1992

Reported in : 1992WLN(UC)93

Judge : Rajendra Saxena, J.

Appeal No. : S.B. Criminal Misc. Bail Petition No. 1015 of 1992

Appellant : Gopal Lal

Respondent : State

Disposition : Application allowed

Judgement :

Rajendra Saxena, J.

1. Mr. Kumbhat has filed an affidavit of Shii Suresh Chandra Shrimalee, Advocate, Bhllwara and photo-stat copies of his diary of cases dated 02.04.92, wherein the next date in sessions case 'State V Gopal Lal Vaishnav' has been written as 09.05.92. The petitioner was on bail during the trial in this case but he remained absent on 02.05.92 and his bail bonds were forfeited and warrants of arrest was ordered to be Issued. However, he surrendered before the Court on 14th May, 1992 and his bail petition was dismissed by the learned Addl. Sessions Judge, Bhilwara.

2. Mr. Suresh Kumbhat submits that due to bonafide mistake of the Advocate the petitioner did not appear on 2nd May, 1992. This fact is duly corroborated by the affidavit of Shri Suresh Chandra Shrimalee, Advocate and his diary of cases.

3. Hence, keeping in view all these facts and circumstances, I feel inclined to allow this bail application and order that the petitioner Gopal Lal be released on bail provided he executes a personal bond in the sum of Rs. 10,000/- (Rs. ten thousand only) and furnishes one sound surety in the like amount to the satisfaction of the learned Addl. Sessions Judge, Bhilwara for his regular attendance before him on each and every date of hearing till the completion of the trial.

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