

Kajod Vs. State of Rajasthan

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Court : Rajasthan

Decided On : Nov-24-1988

Reported in : 1988WLN(UC)287

Judge : Vinod Shanker Dave, J.

Appeal No. : S.B. Cr. Misc. Bail No. 2940 of 1988

Appellant : Kajod

Respondent : State of Rajasthan

Disposition : Application allowed

Judgement :

Vinod Shanker Dave, J.

1. It appears from the order of the learned Sessions Judge, that the prosecutrix was the consenting party. Regarding the question of age, though that will be determined at the time of trial yet there is conflicting evidence and atleast it is certain that she has attained the age of discretion as is held by their Lordships of the Supreme Court in Vardarajan v. State of Madras : 1965 CriLJ33 . In these circumstances, I am inclined to grant bail.

2. The petitioner shall be released on bail provided he executes a bail bond in the sum of Rs. 5,000/-(Rupees five thousand only) with one surety in the like amount

to the satisfaction of the trial court with the stipulation to appear before that court as and when called upon to do so during the pendency of the trial of this case.

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