

Mst. Sunder Vs. State of Rajasthan

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Court : Rajasthan

Decided On : Dec-22-1989

Reported in : 1989WLN(UC)391

Judge : Mohini Kapoor, J.

Appeal No. : S.B. Cr. Misc. Bail Application No. 3764 of 1984

Appellant : Mst. Sunder

Respondent : State of Rajasthan

Disposition : Application allowed

Judgement :

Mohini Kapoor, J.

1. This is second bail application by the petitioner, who is a woman aged about 19-20 years. The deceased in this case, Mst. Sushila, was the wife of the petitioner's brother. She died due to burns. The only eye-witness is the petitioner, who has stated that the petitioner's father poured diesel over Sushila and petitioner had lighted her by a match stick.

2. The first bail application was dismissed as not present and second one has been moved after the presentation of the challan. The main ground on which the bail application is pressed is that the petitioner is a young woman and under

Section 437, Cr.P.C. there is provision for taking a sympathetic view for the release of a woman on bail. The petitioner was arrested on 28th July, 1989 and since then she is in custody. She has remained in custody for over 4-1/2 months. At present it can be said that the petitioner can be released on bail only for the reason that she is a woman of young age.

3. It is, therefore, ordered that the petitioner Mst. Sunder be released on bail provided she furnishes a personal bond in the sum of the Rs. 5,000/- (Rupees five thousand) with one surety in the like amount to the satisfaction of the trial court for her appearance before that court or any other court on all dates of hearing during the pendency of trial against her in this case.

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