

Mahaveer Vs. State of Rajasthan

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Court : Rajasthan

Decided On : Jul-19-1995

Reported in : 1995(2)WLN312

Judge : N.L. Tibrewal, J.

Appeal No. : S.B. Criminal Misc. Bail Application No. 3166 of 1995

Appellant : Mahaveer

Respondent : State of Rajasthan

Judgement :

N.L. Tibrewal, J.

1. Heard.

2. It is contended by the learned Counsel that the police investigated the matter and, thereafter, submitted a final report, but the concerned Magistrate disagreeing with the said report, took cognizance in the case and issued a non-bailable warrant to secure the attendance of the petitioner. Learned Counsel also contended that the petitioner is ready and willing to appear before the said court to face trial in the case. It was also contended that the order taking cognizance was challenged before this Court, but the revision was dismissed with the observation that the petitioner shall be free to move objections before the concerned court at

the stage of framing charge.

3. After taking into consideration all the facts and circumstances including the injury report and the nature of offence, I think it proper to give following direction in the case to avoid further delay in the trial.

1. That the petitioner shall appear on or before 28th July 1995 before the concerned court and If he does so, he shall be released on bail on his furnishing personal bond in the sum of Rs. 5,000/- and a surety in the like amount to the satisfaction of the said court with the stipulation to appear before the concerned courts on all subsequent dates of hearing during enquiry or trial as the case may be.

2. Till 28th July the petitioner shall not be arrested In pursuance to the order of the learned Magistrate, whereby non-bailable warrant has been issued against the petitioner. In case the petitioner fails to comply with the aforesaid order upto the specified date, this application shall stand dismissed and the concerned court shall be free to issue fresh non-bailable warrants to secure attendance of the petitioner.

4. The bail application stands disposed of as indicated above.

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