

Narsingh Vs. State

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Court : Rajasthan

Decided On : Apr-09-1985

Reported in : 1985WLN(UC)39

Judge : K.S. Lodha, J.

Appeal No. : S.B. Cr. Appeal No. 105 of 1985

Appellant : Narsingh

Respondent : State

Judgement :

K.S. Lodha, J.

1. This is an appeal by the four appellants against the order of the learned Sessions Judge. Pratapgarh camp Chittorgarh dated 13-2-85 by which a sum of Rs. 250/- from each of the personal bonds of the appellants Narsingh and Gordhan and Rs. 500/- from each of the personal bonds of the appellants Bhabhoot and Bhika have been ordered to be recovered.

2. I have heard the learned counsel for the appellants and the learned P.P.

3. It appears that the four appellants were on bail during the course of the hearing of an appeal against their convictions and sentences, before the learned Session Judge, However, they absconded themselves on 8-3-85, therefore, their bail

bonds were forfeited and notices were issued to show cause why the amounts may not be recovered Narsingh and Gordhan appeared on 30-8-83 and were again released on bail. The other two appellants have appeared on 5-12-84. They also filed their replies to the show cause notices. The causes shown by them were not found to be satisfactory by the learned Sessions Judge, and, therefore, he order the recovery of these amounts out of the bonds.

4. The learned counsel for the appellants urged that the accused appellants are poor persons and they have already appeared before the learned Sessions Judge, in these circumstances the amount ordered to be recovered from their bonds are excessive and may be reduced.

5. I have also heard the learned P.P. Both the parties are agreed that this appeal may be disposed of at this stage.

6. Since the accused appellants have already appeared before the learned Sessions Judge and there has not been any inordinate delay in the disposal of the appeal on account of their absence. I am of the opinion that the recovery of the following amounts out of the bonds would be sufficient.

7. I, therefore, partly allow this appeal and reduce the amounts to be recovered from the appellants as under:

(1) Narsingh and Gordhan Rs. 100/- each.

(2) Bhabhoot and Bhika Rs. 150/- each.