

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Appeal No. 1107/2019

1. Bhera Ram @ Bheru Lal S/o Lala Ram, Aged About 20 Years, resident of 37, Pratap Nagar, Pali, Tehsil And District Pali.
2. Yogesh S/o Mohan Lal, By Caste Meghwal, Aged About 20 Years, R/o 171, Pratap Nagar, Pali, Tehsil And District Pali.
3. Kalu Ram S/o Lal Ji, By Caste Bhatt, Aged About 21 Years, R/o 37, Pratap Nagar, Pali, Tehsil And District Pali.
4. Deepak @ Deepu S/o Sunder Lal, By Caste Bhatt, Aged About 19 Years, R/o 40, Pratap Nagar, Pali, Tehsil And District Pali.

(Confined In District Jail, Pali).

----Appellants

Versus

State of Rajasthan

----Respondent

For Appellant(s)	:	Mr.Birbal Ram, Adv.
For Respondent(s)	:	Mr.Mukhtiyar Khan, PP

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order

09/08/2019

Heard.

Admit. Call for the record.

Heard learned counsel for the appellants and learned public prosecutor on Application for Suspension of Sentence No.877/2019.

Upon a consideration of the arguments advanced on behalf of the appellants and having regard to the facts and circumstances of the case, this court is of the opinion that it is a fit case for

suspending the substantive sentence awarded to the accused-appellants.

Accordingly, the bail application filed by the appellants under Sec.389 Cr.P.C. is allowed and it is ordered that the substantive sentence passed by the learned Special Judge, SC/ST (Prevention of Atrocities Cases), Pali vide judgment dated 20.07.2019 in Sessions Case No.18/2015 against the accused-appellants (1) Bhera Ram @ Bheru Lal S/o Lala Ram, (2) Yogesh S/o Mohan Lal, (3) Kalu Ram S/o Lal Ji and (4) Deepak @ Deepu S/o Sunder Lal shall remain suspended till final disposal of the aforesaid appeal provided each of them executes a personal bond in the sum of Rs. 50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for their appearance before this court on 11.09.2019 and whenever ordered to do so till the disposal of the appeal on the conditions indicated below:-

1. That they will appear before the trial Court in the month of January of every year till the appeal is decided.
2. That if the appellants change the place of residence, they will give in writing their changed address to the trial Court as well as to the counsel in the High Court.
3. Similarly, if the sureties change their addresses, they will give in writing their changed address to the trial Court.

The learned trial Court shall keep the record of attendance of the accused-appellants in a separate file. Such file be registered as Criminal Misc. Case related to original case in which the accused-appellants was tried and convicted. A copy of this order shall also be placed in that file for ready reference. Criminal Misc. file shall not be taken into account for statistical purpose relating

to pendency and disposal of cases in the trial court. In case the accused-appellants does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.

(MANOJ KUMAR GARG),J

122-NK/-

RAJASTHAN HIGH COURT



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