

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

S.B. Criminal Appeal (Sb) No. 1430/2025

Gautam Kumar S/o Akhlesh Kumar Mahto, Aged About 24 Years,
R/o Samada Ward No. 14 Panchayat Parasmani Police Station
Sarsi District Purniya Bihar At Present Shanker Chat Wale Ka
Makan Mahadev Gali Falna Police Station Falna District Pali
Rajasthan. (Presently Lodged At Dist. Jail Pali Raj.)

----Appellant

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Appellant(s)	:	Mr. Ripudaman Singh
For Respondent(s)	:	Mr. Surendra Bishnoi, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

23/07/2025

1. The jurisdiction of this Court has been invoked by way of filing an appeal under Section 14-A(2) SC/ST (Prevention of Atrocities) Act at the instance of accused-appellant. The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	126/2023
2.	Concerned Police Station	Falna
3.	District	Pali
4.	Offences alleged in the FIR	Under Sections 376, 376(2)(n), 342, 323, 504 and 120-B of IPC
5.	Offences added, if any	Sections 3(1)(r)(w ii), 3(2)(5)(5a) of SC/ST Act
6.	Date of passing of impugned order	19.03.2025

2. It is contended on behalf of the accused-appellant that the the petitioner had no intention to flout the conditions of bail order and due to inadvertence he failed to appear before the trial court. In these circumstances, his further incarceration is not warranted. He, therefore, prays that the petitioner may be released on bail.

Learned counsel – Shri Ripudaman Singh while showing generosity has offered a sum of Rs.10,000/- towards the inconvenience caused to the victim in recording of her statement in due course before the trial Court.

3. Contrary to the submissions of learned counsel for the petitioner, learned Public Prosecutor opposes the bail application and submits that the present case is not fit for enlargement of accused on bail.
4. Have considered the submissions made by both the parties and have perused the material available on record.
5. The petitioner was on bail but he absconded during trial and whereafter, apprehended again after long lapse of time. However, keeping trust upon assurance given by the learned counsel for the petitioner that henceforth the petitioner would be readily available for the trial and would not hamper the smooth course of the trial, this Court deems it appropriate to give one more chance to the petitioner by granting indulgence of bail to him.
7. Accordingly, the instant appeal under Section 14-A(2) SC/ST (Prevention of Atrocities) Act is allowed and it is ordered that

the accused-appellant as named in the cause title shall be enlarged on bail provided he furnishes 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 his appearance before the court concerned on all the dates of hearing as and when called upon to do so as well as he shall deposit Rs.10,000/- with the learned trial Court, which upon receipt of the same, shall be disbursed to the victim.

(FARJAND ALI),J

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