

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JAIPUR BENCH, JAIPUR

ORDER

S.B. CRIMINAL MISC. BAIL APPL. NO.7849/2006
Gopal V. THE STATE OF RAJASTHAN

Date of order :: December 22, 2006

PRESENT
HON'BLE MR. JUSTICE PREM SHANKER ASOPA

Mr.Rajneesh Gupta, for the applicant.
Mr.R.P. Kuldeep, PP for the State.

This is a bail application under Section 439 Cr.P.C. arising out of FIR
No.109/2006 registered at Police Station Sapotra, District Karauli for the
offence under Section 148, 341, 323, 325, 302/149 IPC.

Heard learned counsel for the applicant as well as the learned Public
Prosecutor and perused the material / case diary made available to me during
the arguments of the case..

The submission of counsel for the applicant is that the applicant has
been falsely implicated in the case and his name was not named in the FIR.
During the course of investigation also, no allegation has been alleged by any
witness and in the same FIR, other co-accused Harkesh has been released on
bail by the High Court and the case of the applicant is identical to the case of
Harkesh.

Learned Public Prosecutor has opposed the bail application and submitted that offence is of serious nature, therefore, it is not a fit case for grant of bail.

Without expressing any opinion on the aforesaid submissions on merits and demerits of the case and taking into consideration the entire facts and circumstances of the case, I am inclined to grant bail to the applicant.

It is, therefore, ordered that applicant Gopal S/o Parsadi shall be released on bail, provided he furnishes a personal bond in the sum of Rs.30,000/- (Rupees Thirty Thousand only) together with two sureties in the sum of Rs.15,000/- to the satisfaction of the learned trial court for his appearance before that Court as and when called upon to do so during pendency of the trial against him arising out of FIR No.109/2006 registered at Police Station Sapotra, District Karauli.

(PREM SHANKER ASOPA) J.