

S.B. CR.MISC.BAIL APPLICATION NO.4039/2007.

Zakir
Vs.
State

Date of Order : 20/6/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ,
Vacation Judge

Mr. Ganesh Meena for the accused-petitioner.

Mr. Jainendra Jain P.P. for the State.

Heard learned counsel for the accused-petitioner as well as learned Public Prosecutor for the State on the bail application and have also gone through the material available on record.

Learned counsel for the petitioner argued that in the FIR only two persons namely; Ajit Tada and Ismile have specifically been named and no other accused has been specifically named inasmuch as, no role has been assigned to any of them and on consideration of this very argument, the co-ordinate Bench of this Court in S.B. Cr.Misc.Bail Application No.3438/2007 extended the benefit of bail to Deenu @ Deen Mohammed vide order dated 13/6/2007. The case of the petitioner is in no way distinguishable from that of Deenu @ Deen Mohammed. Petitioner is in jail since 10/4/2007.

Learned Public Prosecutor has opposed the bail

application.

Without expressing any opinion on the merits of the case but taking into consideration the facts and circumstances of the case, I deem it appropriate to enlarge the petitioner on bail.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioner Zakir S/o Kamru shall be released on bail in F.I.R. No.336/2007 P.S. Gangapurcity, District Sawai Madhopur subject to his furnishing a personal bond in the sum of Rs.30,000/- together with two sureties in the sum of Rs.15,000/- each to the satisfaction of the trial Court for his appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), VJ.

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