

1) S. B. CR. MISC. BAIL APPL. NO. 7201/2007.
Pappu Vs. State

2) S. B. CR. MISC. BAIL APPL. NO. 7618/2007.
Ramki shan Vs. State

Date of order : 31/10/2007.
HON'BLE MR. JUSTICE MOHAMMAD RAFIQ

Shri Anil Upman for the petitioners.
Mrs. Nirmala Sharma P.P. for the State.

Since both the bail applications arise out of the same first information report being FIR No. 362/2007 PS Shahpura, District Jaipur for offences u/Ss. 457 and 380 IPC, they have been heard together and are being disposed of by this common order.

Heard Learned counsel for the petitioners, Learned Public Prosecutor for the State and perused the relevant documents placed before me.

Learned counsel for the petitioners has argued that petitioners in the aforesaid two bail applications are accused of offence of committing theft which is punishable under Sections 380 and 457 IPC. Petitioner Pappu was arrested on 22/8/2007 whereas petitioner Ramki shan was arrested on 24/8/2007. It was argued that investigation is almost complete and their detention is no longer needed for any purpose as recovery has already been made.

Learned Public Prosecutor has opposed the bail application and argued that in view of seriousness of

allegations, petitioners are not entitled to be enlarged on bail during trial.

Without expressing any opinion on the merits of the case but taking into consideration the aforesaid arguments, I deem it appropriate to enlarge the petitioners on bail during trial.

In the result, both these bail applications u/S. 439 are allowed and it is directed that petitioners Pappu S/o Sanga and Ramkishan S/o Roopa shall be released on bail in FIR No. 362/2007 PS Shahpura, District Japur for offences u/Ss. 457 and 380 IPC subject to each of them 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 their appearance before that court on all dates of hearing until conclusion of the trial.

In case, petitioners are found involved indulging in similar or other cognizance offence, the bail granted to them shall be liable to be cancelled at the instance of the prosecution.

(MOHAMMAD RAFIQ), J.

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