

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JAI PUR BENCH JAI PUR

ORDER

S. B. Criminal Misc. Bail Application No. 6688/2009
Mahaveer vs. State of Rajasthan

Dated : 31.08.2009

HON'BLE MR. JUSTICE MAHESH BHAGWATI

Mr. Sunil Tyagi, for the petitioner.
Mr. G. S. Fauzdar, Public Prosecutor for the State.

This order governs the disposal of bail application filed under Section 439 of Cr. P. C. by Mr. Sunil Tyagi Advocate on behalf of the applicant Mahaveer pertaining to F.I.R. No. 48/2009 at police station Nahargarh, District Baran, in the offences under Sections 365, 327, 330 and 447/34 of IPC.

2. Heard the learned counsel for the petitioner and learned Public Prosecutor appearing for the State and perused the material on record.

3. Learned counsel for the petitioner has canvassed that the name of the petitioner does not figure in the First Information Report. The FIR also has been lodged after an inordinate delay of five days. The co-accused persons namely Tola Ram, Shyoji Ram and Kalu Lal have already been enlarged on bail by the co-ordinate Bench and the case of the petitioner is similar to those of the co-accused persons, hence, on the ground of parity, he may also be granted indulgence of bail.

4. Learned Public Prosecutor appearing for the State has opposed the bail petition.

5. Having reflected over the submissions made at the bar and scanned the relevant material available on record, I, without

expressing any opinion on the merits of the case, do feel inclined to grant bail to the accused petitioner.

6. It is, therefore, ordered that the accused petitioner Mahaveer S/o. Prakash Chand in F.I.R. No. 48/2009 at police station Nahargarh, District Baran, shall be released on bail on furnishing a personal bond of Rs. 30,000/-together with two surety bonds each in the sum of Rs. 15,000/- to the satisfaction of the learned trial Court with the stipulation that he shall appear before that Court on all dates of hearing and as and when called upon to do so till the trial is concluded.

(MAHESH BHAGWATI), J.

Mak/-
s-20