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

ORDER
IN

1. S. B. Cr. Misc. Bail Application No. 5688/2010

Madan Lal Vs. State of Rajasthan

AND

2. S. B. Cr. Misc. Bail Application No. 5428/2010

Phool Chand Vs. State of Rajasthan
through PP

Date of Order :::: 23. 06. 2010

Hon'ble Mr. Justice Mohammad Rafiq, VJ.

Shri Ravindra Pal, Counsel for petitioner in Bail Application No. 5688/2010

Shri Abdul Rahim Khan, Counsel for petitioner in Bail Application No. 5428/2010

Shri Amit Punia, Public Prosecutor

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By the Court:-

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

Contention of learned counsel for petitioners is that this is the first offence alleged against the petitioners under Sections 379, 411 and 120B IPC. Apart from this, there is only one case pending against them under Section 323 IPC, in which they have already been enlarged on bail. Recovery has already been made in the present case at the instance of co-accused Satya Narayan, who has already been enlarged on bail by this Court vide order dated 26. 05. 2010.

Learned Public Prosecutor opposed the bail application.

After considering all the facts and circumstances of the case and without expressing any opinion on its merits and demerits, I deem it just and proper to release the accused-petitioners,

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namely, (1) Madan Lal Son of Shri Kanhaiya Lal and (2) Phool Chand Son of Shri Amra Lal on bail under Section 439 Cr. P. C., in FIR No. 119/2010, Police Station Chippa Barod, District Baran, under Sections 379, 411 and 120-B IPC, provided each of them furnishes a personal bond in the sum of Rs. 50,000/- with two sureties of Rs. 25000/- each to the satisfaction of the trial court for their appearance on all subsequent dates of hearing and as and when called upon to do so.

However, in case petitioners are found indulged in repeating the similar offence at any point of time the prosecution will be at liberty to apply for cancellation of their bail before the court below itself.

The bail applications stand disposed of.

(Mohammad Rafiq) VJ.

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