

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S. B. CR. MISC. II BAIL APPLICATION NO. 3550/2011
Pavan Vs. State

Date of order : 31/5/2011.

HON' BLE MR. JUSTICE MOHAMMAD RAFIQ

Shri Deepak Pareek for the petitioner.
Shri Peeyush Kumar, P.P. for the State.

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

Contention of the learned counsel for the petitioner is that even though challan against the petitioner has been filed for offence u/s. 307 of IPC, but there is no opinion of the Medical Officer that the injury was sufficient to cause death in the ordinal course of nature. Injury no.1 is inserted wound on the left temporal region of the head, which has been opined to be grievous in nature and even that opinion has been given on the basis of C.T. scan report and the comments made on the discharge ticket of the injured by the hospital. Petitioner was arrested on 27.1.2011 and since then he is in jail. Challan has been filed and trial of the case may take long. This is the first alleged offence of the petitioner and there is no other previous case registered against him.

Learned Public Prosecutor has opposed the bail application.

Without expressing any opinion on the merits of this case but taking into consideration all 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 Pavan Kumar S/o Ramkaran shall be released on bail in F.I.R. No. 14/2011, P.S. Indergarh, Distt. Bundi for offence u/s. 341, 323, 307/34 of IPC to his furnishing a personal bond in the sum of Rs. 50,000/- together with two sureties in the sum of Rs. 25,000/- each to the satisfaction

of the trial Court for his appearance before that court on all dates of hearing and as and when called upon to do so till conclusion of the trial.

(MOHAMMAD RAFIQ), J.

RS/