

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S.B. CR.MISC.II BAIL APPL NO.10536/2010
Azam Khan Vs. State

Date of order : 31/3/2011.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Sanjay Kumar Sharma for the petitioner.
Shri Mahendra Meena, P.P. for the State.

It is informed that so far statement of injured witnesses have not been recorded, although, statement of some of the other witnesses have been recorded, who have declared hostile.

This Court rejected the first bail application of the petitioner by order dated 4.8.2010 on consideration of the fact that he had two previous cases registered against him; in one of which he was accused of murder and soon after his release by police, he was found involved in the present case.

Counsel for the petitioner has cited the bail order of co-accused Balu Singh and argued that case of the petitioner is similar to that of Balu Singh.

Considering the aforesaid facts and circumstances, especially the fact that bail application of the petitioner was declined predominantly on antecedents, apart from merits of the case, I am not inclined to change my view taken earlier.

The prosecution is directed to examine all the witnesses at the earliest and the

trial court is directed to expedite the trial.

The bail application is dismissed with the aforesaid directions.

(MOHAMMAD RAFIQ), J.

RS/