

Bhanwar Singh & ors. Vs. State of Raj.
(1) S. B. Cr. M. BAIL APPL. No. 595/2014.
Ashok Singh & ors. Vs. State of Raj.
(2) S. B. Cr. M. BAIL APPL. No. 1176/2014.

Date of Order : 31st March, 2014.

HON'BLE MRS. JUSTICE NISHA GUPTA

Mr Pankaj Gupta, for petitioners.
Ms Meenakshi Pareek, Public Prosecutor.
Mr Rajesh Goswami, for complainant.

The present bail applications under Section 438 Cr.P.C. have been filed for grant of anticipatory bail in FIR No. 494/2012 registered at Police Station Malakheda, Distt. Alwar. Since both these bail applications arise out of a common FIR, the same are decided by this common order.

2. The contention of the present petitioners is that they have been implicated falsely, cross-FIR has been lodged. Initially, Vijendra Singh was the witness, in this FIR. 8-9 persons from their party have also suffered injuries, case does not travel beyond the scope of Section 325 IPC, hence present petitioners should be released on bail.

Per contra, the contention of the Public Prosecutor is that specific allegations have been lodged against the present petitioners, they have

been involved in the incident, hence no case is made out for anticipatory bail.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor and perused the material on record.

4. Without expressing any opinion on merits of the case but looking to the injuries and the fact that cross FIR has been lodged, I deem it just and proper to grant indulgence of anticipatory bail to the petitioners.

5. Consequently, both these applications for anticipatory bail are allowed.

The S.H.O./I.O./Arresting Authority, Police Station Malakheda, Distt. Alwar in F.I.R. No. 494/2012 is directed that in the event of arrest of the petitioners in both these cases, each of them shall be released on bail, provided each of them furnishes a personal bond in the sum of Rs. 50,000/- with two sureties in the sum of Rs. 25,000/- each to his satisfaction on the following conditions :-

- (i). that the petitioners shall make themselves available for interrogation by a police officer as and when required;
- (ii). that the petitioners shall not directly or indirectly

make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or any police officer; and
(iii). that the petitioners shall not leave India without previous permission of the court.

(NISHA GUPTA),J.

Gandhi/ 15-16

All corrections made in the judgment/order have been incorporated in the judgment/order being emailed.

Brij Mohan
(Sr. P.A.)