

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

S.B. CRIMINAL MISC. BAIL APPLICATION No.7890/2016

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Jamshed Vs. State of Rajasthan

Date of Order : 30/06/2016

HON'BLE MR. JUSTICE BANWARI LAL SHARMA, VJ

Mr. Kapil Gupta, for the petitioner.

Mr. V.S. Godara, Public Prosecutor for the State.

Heard learned counsel for the parties.

Mr. Kapil Gupta, learned counsel for the petitioner submits that co-accused Mausam has already been released on bail by coordinate bench of this Court and the case of the present petitioner is on similar footing as that of co-accused Mausam.

When a query was made by this Court from Mr. Kapil Gupta, learned counsel for the petitioner regarding date of arrest of co-accused Mausam and present petitioner, he failed to apprise this Court about the date of arrest of both the accused persons. Petitioner has been apprehended in this matter after examining the witnesses during trial of co-accused. The statement recorded in absence of present petitioner of other witnesses cannot be read for the present petitioner. Still charges have not been framed against the present petitioner. The charge sheet against the present petitioner was filed under Section 299 Cr.P.C. The alleged offence against the present petitioner is under Section 302/34 IPC and Sections 3(1)(x) and 3(2)(v) of SC & ST

(Prevention of Atrocities) Act, therefore, looking to the conduct of the petitioner, I am not inclined to grant benefit of bail to the accused-petitioner.

Consequently, the bail application filed under Section 439 Cr.P.C. is dismissed.

(Banwari Lal Sharma),VJ.

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All corrections made in the judgement/order have been incorporated in the judgement/order being emailed.
(Ravi Sharma, Sr.P.A.)



सत्यमेव जयते