

**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR**

S. B. Criminal Miscellaneous Bail Application No. 11227 / 2017

Massar S/o Shri Samsu By caste Mev, R/o Chuhadpur, Police Station Choupanki, District Alwar (Raj.)

(at present the accused in Judicial Custody At Sub Jail Kishangarh Bas, District Alwar)

----Accused Petitioner

Versus

State of Rajasthan through P.P.

----Respondent

For Petitioner(s) : Mr. Azad Ahmed.

For Respondent(s) : Mr. R.S. Raghav, Public Prosecutor.

HON'BLE MR. JUSTICE MOHAMMAD RAFIQ

Order

31/08/2017

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

Contention of learned counsel for the accused-petitioner is that co-accused namely Sahil, Jahid, Sharif, Bhabbal @ Kammar has been enlarged on bail under Section 438 Cr.P.C. by this Court vide order dated 04.05.2017, 07.12.2016 respectively passed in S.B. Criminal Misc. Bail Application No. 4799/2017, 14512/2016, 14522/2016, 14932/2016 respectively and other co-accused namely Arif, Faruk, Hussaindeen, Noorhasan, Judhdeen @ Noordeen, Mujaad @ Mujahid, Kallu @ Sallu, Samman, Irfan, Kayam have already been extended benefit of bail pending trial by Co-ordinate Benches of this Court vide

orders dated 22.03.2017, 31.01.2017, 23.11.2016, 27.10.2016 and 01.09.2016 respectively passed in S. B. Criminal Misc. Bail Application Nos. 3090/2017, 1384/2017, 14122/2016, 14521/2016, 14012/2016 and 9172/2016 respectively. The case of accused-petitioner is identical to that of co-accused. He has no previous criminal antecedents. He is in jail for quite some time.

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 accused-petitioner namely Massar son of Shri Samsu shall be released on bail in FIR No. 152/2015 registered at Police Station Choupanki, District Alwar for offences under Sections 143, 323, 353, 336, 307, 379, 120B IPC and Sections 42 of the Forest Act provided he furnishes 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.

Manoj/19