

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

S.B. Criminal Miscellaneous Bail Application No. 2930/2020

1. Abutalha S/o Asrar Ahmad, Aged About 24 Years, R/o Chahediya Ps Anta Dist. Baran Raj. (At Present Confined In Dist. Jail Baran)
2. Asad @ Pintu S/o Abdul Kadeer, Aged About 30 Years, R/o Chahediya Ps Anta Dist. Baran Raj. (At Present Confined In Dist. Jail Baran)
3. Ubed Khan S/o Abid Khan, Aged About 25 Years, R/o Chahediya Ps Anta Dist. Baran Raj. (At Present Confined In Dist. Jail Baran)

----Petitioners

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Jitendra Pandey
For Respondent(s)	:	Mr. Atul Sharma with Mr. Pankaj, Public Prosecutor.

HON'BLE MR. JUSTICE CHANDRA KUMAR SONGARA

Order

29/04/2020

Heard learned counsel for the petitioners and learned Public Prosecutor through Video Conferencing.

This bail application has been filed under Section 439 Cr.P.C. in connection with FIR No. 568/2019 registered at Police Station Antan, District Baran for the offence(s) under Sections 147, 148, 149, 341, 427, 323, 324, 325, 307 and 120B IPC and Section 3/25 of the Arms Act.

Learned counsel for the petitioners submits that the co-accused-Asrar Ahamd and Mohd. Sarif have already been enlarged

on bail by the co-ordinate Bench of this Court vide order dt. 19.11.2019 in S.B. Criminal Misc. Bail Application No. 15857/2019. The case of the petitioners is on same footing. As per medical report, under Section 307 is not *prima facie* made out against the petitioners as no injured from complainant party received any fire arm injury. He further submits that the petitioners are behind the bars since long time and conclusion of trial will take long time. Hence, they may be released on bail.

Learned Public Prosecutor has opposed the bail application.

Looking to the submissions made by counsel for the petitioners and the fact that the allegations against the petitioners are under Sections 147, 148, 149, 341, 427, 323, 324, 325, 307 and 120B IPC and Section 3/25 of the Arms Act, but without expressing any opinion on the merits and demerits of the case, I deem it just and proper to enlarge the petitioners on bail.

Accordingly, the bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioners **Abutalha S/o Asrar Ahmad, Asad @ Pintu S/o Abdul Kadeer and Ubed Khan S/o Abid Khan** shall be enlarged on bail provided each of them furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for their appearance before the court concerned on all the dates of hearing as and when called upon to do so.

(CHANDRA KUMAR SONGARA),J