

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

S.B. Criminal Miscellaneous Bail Application No.10058/2020

1. Aariph S/o Vakar, R/o Bhojpur, P.S. Bhojpur Muradabad U.p.
(Presently In Judicial Custody Jail At Sewar Bharatpur)
2. Nadim S/o Mohammad Ikram, R/o Gulabbadi Mohalla Bhojpur, P.S. Bhojpur Muradabad U.p.
(Presently In Judicial Custody Jail At Sewar Bharatpur)

----Petitioners

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. Himmat Singh Bikarwar,
(through V.C.)

For Respondent(s) : Mr. Mangal Singh Saini, PP

HON'BLE MR. JUSTICE MANOJ KUMAR VYAS

Order

30/09/2020

This Criminal Misc. Bail Application has been brought under Section 439 of Cr.P.C., seeking regular bail in connection with FIR No.208/2019 registered at Police Station Chiksana District Bharatpur for offences under Sections 457, 380 of IPC.

Heard learned counsel for the petitioner through Jitsi Meet.

It has been argued on behalf of the petitioners that they have been falsely implicated in this case. No offence is made out against them, on the basis of evidence available on record. Similarly situated co-accused Aamir @ Jamir @ Jameen, Salman @ Jabid @ Bhura and Haroon have been released on bail by Co-ordinate Benches of this Court on 08.02.2020 and 04.08.2020

respectively and petitioners' case is not different from them. Hence, on the ground of parity they are also entitled to be released on bail. Charge-sheet has been filed. The matter is pending under Sections 457 and 380 of IPC, which is triable by Magistrate.

Learned Public Prosecutor has opposed the bail application.

On consideration of arguments and perusal of material available on record and considering the fact that similarly situated co-accused have been released on bail by Co-ordinate Benches of this Court, this bail application is accordingly allowed. Accused-petitioners **Aariph S/o Vakar and Nadim S/o Mohammad Ikram** shall be released on bail in FIR No.208/2019 registered at Police Station Chiksana District Bharatpur, if they are not wanted in any other case, provided each of them furnishes a personal bond in the sum of Rs.1,00,000/- (One Lakh) together with two sureties in the sum of Rs.50,000/- (Fifty Thousand) each to the satisfaction of the learned trial court with the stipulation that they shall appear before that Court or any court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

A copy of this order be sent to concerned SHO for recording this condition in the Village Crime Record Book so that in the event of petitioner's repeating offence, S.H.O. can move the Court for cancellation of bail.

(MANOJ KUMAR VYAS),J