

(2017) 02 RAJ CK 0078
In the Rajasthan High Court
Case No : 1514 of 2017

Ikram Khan S/o Haji Gafoor

APPELLANT

Vs

State of Rajasthan Through Public Prosecutor

RESPONDENT

Date of Decision : 27-02-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 439](#) - Special powers of High Court or Court of Session regarding bail
[Indian Penal Code, 1860](#), [Section 302](#),
[Section 34](#) Se

Citation : (2017) 02 RAJ CK 0078

Hon'ble Judges : Sandeep Mehta

Bench : SINGLE BENCH

Advocate : Ranjeet Singh, KV Vyas

Final Decision : Allowed

Judgement

1. Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the material available on record.
2. The present bail application has been filed under Section 439 Cr.P.C. on behalf of the petitioner, who is in custody in connection with F.I.R. No.75/2016, Police Station Ramsar, Barmer for the offences under Sections 341, 323 and 302 / 34 IPC.
3. As per the post mortem report of the deceased Ali Khan, he was found having a solitary head injury which is specifically assigned by the eye witnesses to the co-accused Nyal Khan. The petitioner is alleged to have caused an ax blow on the leg of the deceased but such assertion is not corroborated by medical

evidence.

4. Thus, having regard to the entirety of facts and circumstances as available on record and upon a consideration of the arguments advanced at the Bar but without expressing any opinion on the merits of the case, this Court is of the opinion that the bail application filed by the petitioner deserves to be accepted.

5. Consequently, the bail application is allowed. It is ordered that the accused-petitioner, Ikram Khan arrested in connection with F.I.R. No.75/2016, Police Station Ramsar, Barmer shall be released on bail; provided he furnishes a personal bond of Rs.50,000/- and two surety bonds of Rs.25,000/- each to the satisfaction of the learned trial court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.