

(2017) 05 RAJ CK 0107
In the Rajasthan High Court
Case No : 4290 of 2017

Kailash Ram @ Akshay S/o Budharam	APPELLANT
Vs	
The State of Rajasthan	RESPONDENT

Date of Decision : 22-05-2017

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 147,
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Citation : (2017) 05 RAJ CK 0107

Hon'ble Judges : Sandeep Mehta

Bench : SINGLE BENCH

Advocate : OP Sangwa, DK Godara, AS Rathore

Judgement

1. Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the material available on record.
2. The instant bail application under Section 439 Cr.P.C. has been preferred on behalf of the petitioner who is in custody in connection with F.I.R. No.21/2015, registered at Police Station Mondwa, Nagaur for the offences under Sections 147, 148, 341, 323, 324 and 307 IPC and Sections 3 / 25 & 5 / 25 of the Arms Act.
3. The petitioner has been charge-sheeted in this case for the offences under Sections 5 / 25 and 7 / 25 of the Arms Act. Thus, obviously he is not alleged to have participated in the actual assault. No incriminating recovery whatsoever was effected from the possession of the petitioner during investigation.

4. Having regard to the facts and circumstances available on record but without expressing any opinion on the merits of the case, this Court is of the opinion that the petitioner deserves to be released on bail.

5. Accordingly, the bail application under Section 439 Cr.P.C. is allowed and it is directed that the petitioner Kailash Ram @ Akshay arrested in connection with F.I.R. No.21/2015, registered at Police Station Mondwa, Nagaur 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.