
(2011) 04 RAJ CK 0017

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 3367 of 2011

Umrao, Manohari and Mahesh @ Kalla

APPELLANT

Vs

State of Rajasthan

RESPONDENT

Date of Decision : 26-04-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 147, 307, 323, 341, 447

Citation : (2011) 04 RAJ CK 0017

Hon'ble Judges : Mohammad Rafiq, J

Bench : Single Bench

Judgement

Mohammad Rafiq, J.—Heard learned Counsel for Petitioners as well as learned Public Prosecutor and perused material made available to me during course of arguments.

2. Contention of learned Counsel for Petitioners is that there are cross-cases between the parties. There are four injured from the side of injured. Though there are three women received injuries by sharp-edged-weapon from the side of accused-Petitioners and one person Dhaman @ Raman has lost vision of his right eye and received multiple fractures on right side of facial bone. There are eight injured from the side of complainant but all have received simple injuries. Challan has been filed. Petitioners are in jail for last one month. Trial may take a long. There is no other criminal case ever registered against Petitioners.

3. Learned Public Prosecutor opposed the bail application.

4. After considering all the facts and circumstances of the case and without expressing any opinion on its merits and demerits, I deem it just and proper to release the accused-Petitioners, namely, (1) Umrao Son of Shri Jamnilal @ Jamilal, (2) Manohari Son of Shri Ramsahai and (3) Mahesh @ Kalla Son of Shri Jamilal @ Jamnilal, all residents of Mohanpur, Police Station Balghat, District Karauli and presently confined in Sub-Jail Hindauncity, District Karauli, in FIR No. 44/2011, Police Station Balghat, District Karauli, under Sections 147, 323, 341,

447 and 307 of the IPC, provided each of them furnishes a personal bond in the sum of Rs. 50,000/- with two sureties of Rs. 25000/- each to the satisfaction of the trial court for their appearance on all subsequent dates of hearing and as and when called upon to do so.

5. However, in case it is found that any other criminal case is pending against Petitioners and that misstatement has been made about his whereabouts or non-registration of any other criminal case or any new case in future is registered against them, the bail so granted to them by this Court in this bail application would be liable to be cancelled at the instance of prosecution even by the trial court and stipulation to this effect shall be inserted in bail bonds produced by Petitioners, and sureties to be produced in support thereof shall be verified by Tehsildar of area concerned.

6. The bail application stands disposed of.