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Subhash Keir Vs. State

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Court : Rajasthan

Decided On : Jun-02-2004

Reported in : RLW2004(3)Raj1827; 2004WLC(Raj)UC695

Judge : F.C. Bansal, J.

Acts : Code of Criminal Procedure (CrPC) , 1973 - Sections 439; Indian Penal Code (IPC) - Sections 149 and 302

Appeal No. : S.B. Criminal Misc. Bail Appeal No. 2085 of 2004

Appellant : Subhash Keir

Respondent : State

Advocate for Def. : G.S. Rathore, Public Prosecutor

Advocate for Pet/Ap. : Praveen Balwada, Adv.

Judgement :

F.C. Bansal, J.

1. Heard learned counsel for the petitioner, learned Public Prosecutor and have also perused the case diary and material on record.

2. Learned counsel for the applicant contended that fatal injuries have not been attributed to the petitioner. Charge sheet was earlier filed against 11 co-accused

out of which four have been acquitted and seven have been convicted for offence Under Section 302/149 IPC. The sentence awarded to these seven convicts has been suspended by the Division Bench of this Court vide order dt. 09.05.03 in D,B. Cr.App. No. 466/03, therefore, this bail application be allowed.

3. The learned Public Prosecutor has opposed this bail application.

4. Considering the aforesaid submissions and after perusal of the evidence collected during investigation and statements of all the witnesses recorded during trial against co-accused persons and judgment of the trial court dated 12.3.2003 and the order dt. 9.5.2003 passed by Division Bench of this Court, I am inclined to grant bail to the applicant Under Section 439, Cr PC.

5. It is, therefore, ordered that the petitioner Subhash Keer S/o Sohanlal Keer R/o Keeron Ki Dhani Tehsil Bansoor (Alwar) be released on bail provided he furnishes a personal bond in a sum of Rs. 10,000/- (Rs. ten thousand only) with two sound sureties of Rs. 5,000/- (five thousand only) each to the satisfaction of the trial court with the stipulation to appear in the Court as and when called upon to do so during pendency of the trial against him in the case arising out of FIR No. 357/97 PS Bansoor (Alwar).

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