HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 288/2023

Fula Ram S/o Vachana Ram, Aged About 42 Years, R/o Near Railway Station Banas, Police Station Saroopganj, District Sirohi. (Presently Lodged In District Jail, Sirohi)

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Ramesh Kumar S/o Jepa Ram, R/o Bamra, District Jalore.

----Respondents

Connected With

S.B. Criminal Miscellaneous Bail Application No. 15319/2024

Basa Ram S/o Surta, Aged About 20 Years, R/o Malaniya Merpur, P.s. Bekariya Dist Udaipur. (Presently Lodged In Dist Jail Sirohi)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Bharat Singh Rathore Mr. Virender Kumar Sharma
For Respondent(s)	:	Ms. Sonu Manawat, PP

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order

29/01/2025

The present bail applications have been filed under Section 439 Cr.P.C. on behalf of the petitioners who have been arrested in connection with FIR No.72/2022 registered at Police Station Rohida, District Sirohi for the offences punishable under Sections 302, 201 & 120-B of IPC. (Qua the petitioner Basa Ram offences punishable under Sections 143, 302, 201 & 120-B of IPC.)

Learned counsel for the petitioners submits that the similar situated co-accused persons, viz., Mashru @ Mahesh & Jitendra Kumar have already been granted bail by this Court and the case of the present petitioners is not distinguishable. Counsel submits that blood stained rope & a helmet have been recovered form Fula Ram and a motorcycle & mobile phone have been recovered from Basa Ram. Counsel further submits that according to FSL report, no blood has been detected on the recovered articles and there are no antecedents against the petitioners. The petitioners Fula Ram & Basa Ram are in judicial custody since 18.04.2022 & 17.04.2022 respectively and upto this time only 15 witnesses have been examined out of total 29 prosecution witnesses. The trial of the case will take sufficiently long time. Therefore, the benefit of bail may be granted to the accused-petitioners.

Learned Public Prosecutor has opposed the prayer for bail.

I have considered the arguments advanced before me and gone through the material available on record.

Taking into account the facts and circumstances of the case, without commenting on the merits of the case, this Court deems it just and proper to release the petitioners on bail.

Accordingly, the bail applications under Section 439 Cr.P.C. are allowed and it is ordered that the accused-petitioners – (1) Fula Ram S/o Vachana Ram & (2) Basa Ram S/o Surta shall be enlarged on bail in FIR No.72/2022 registered at Police Station Rohida, District Sirohi provided each of them furnishes a personal bond in the sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the learned trial Judge for their

appearance before the court concerned on all the dates of hearing as and when called upon to do so.

(MANOJ KUMAR GARG),J

99-100-Rashi/-