

Ramjaan Masoori vs The State Of Madhya Pradesh on 26 August, 2014

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<u>M.Cr.C
No.11621/2014</u></p>
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<p style="margin-right: 0.07in; margin-bottom: 0in; font-style: normal; font-weight: nor
 Shri V.K.
Lakhera, Advocate for the applicant.</p>
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 Shri A Shukla,
Deputy G.A for the respondent/State.</p>

<p style="margin-right: 0.07in; margin-bottom: 0in; font-style: normal; font-weight: normal; line-height: 150%; text-decoration: none" align="JUSTIFY"> This is an application for bail under section 439 of Cr.P.C. for offence under Sections 307, 302, 392, 397 of IPC and under section 25 Arms Act in connection with Crime No.264/2014 registered at Police Station City Kotwali, District Rewa. </p> <p style="margin-right: 0.07in; margin-bottom: 0in; font-style: normal; font-weight: normal; line-height: 150%; text-decoration: none" align="JUSTIFY"> According to prosecution on 13/04/2014 petitioner and co-accused Raja assaulted g<i>upti</i> blows on chest of Chedi lal Kewat, who died as a result of aforesaid injury. </p> <p style="margin-right: 0.07in; margin-bottom: 0in; font-style: normal; font-weight: normal; line-height: 150%; text-decoration: none" align="JUSTIFY"> Learned counsel for petitioner submits that no overt act has been assigned to present applicant in so far as act of killing is concerned.</p> <p style="margin-right: 0.07in; margin-bottom: 0in; font-style: normal; font-weight: normal; line-height: 150%; text-decoration: none" align="JUSTIFY"> Learned counsel for State submits that from applicant blood stained <i>gupti</i> has been recovered. </p> <p style="margin-right: 0.07in; margin-bottom: 0in; font-style: normal; font-weight: normal; line-height: 150%; text-decoration: none" align="JUSTIFY"> In response, learned counsel for petitioner submits that no actual act of causing injury and robbery has been assigned to him and these have been assigned to co-accused Raja and Salman. </p> <p style="margin-right: 0.07in; margin-bottom: 0in; font-style: normal; font-weight: normal; line-height: 150%; text-decoration: none" align="JUSTIFY"> Without commenting on merits of the case, on due consideration of the facts and circumstances of the case, I deem it proper to grant bail to the petitioner with condition that in the event of single absence in the trial proceedings, petitioner shall be liable for cancellation of this bail order. Petitioner Ramjaan Mansoori

will be released on bail on his furnishing a personal bond in a sum of **Rs.30,000/-** with a surety of like amount to the satisfaction of trial Court for his appearance in trial Court on dates to be fixed by that Court during trial. This bail shall continue during the pendency of the trial. In the event of jumping the bail, this facility will be withdrawn from petitioner. Provisions of Section 437(3) Cr.P.C. shall apply to the petitioner.

Certified copy as per rules.

Tarun Kumar Kaushal)

Judge

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