

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2627 of 2015**

Mahesh Kumar Sahu, S/o. Saratu Ram Sahu, aged about 32 years, resident of Village Karda, Post Office Marda (Police Chowki Lawan), Police Station Kasdol, Revenue and Civil District Baloda Bazar-Bhatapara (CG)

---Applicant

Versus

State of Chhattisgarh, Through: The Station House Officer, Police Station Kasdol, Police Chowki Lawan, Civil and Revenue District Baloda Bazar-Bhatapara (CG)

---Non-applicant

For Applicant	:	Mr. J.R.Verma, Advocate
For Non-applicant	:	Mr. Qamrul Aziz, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/07/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.57/2015, registered at Police Station-Kasdol, District-Baloda Bazar-Bhatapara (CG), for the offence punishable under Sections 147, 149, 186, 353, 332, 294, 336 and 395 of the IPC.

2. Case of the prosecution, in brief, is that on 28.1.2015 at village during election of panchayat the present applicant and other three accused persons deterred the public officials from discharging their duties and looted Rs.2000/- and one wrist watch of complainant Meghnath Sahu and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case.

Nothing has been seized. He would further submit that wife of the applicant has contested the election and the present applicant was supporting his wife. The applicant is in jail since 16.3.2015 and charge-sheet has already been filed. He would also submit that co-accused Bablu, Ajita Sahu and Ajit Sahu have already been admitted to bail by this Court vide order dated 4.5.2015 in M.Cr.C.Nos.1446, 1453 and 1454 of 2015 and case of the present applicant is similar to that of the co-accused, therefore, he may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant, charge-sheet has already been filed and the fact that bail was granted to co-accused, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-