

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2750 of 2015**

- Surendra Kushwaha S/o Shri Bhagirathi Kushwaha Aged About 28 years R/o Village Chopra, P.S. Bhaiyathan, Civil And Revenue District Surguja, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station House Officer, Ambikapur, District- Surguja, Chhattisgarh

---- Non-Applicant

For Applicant: Shri Shakti Raj Sinha, Advocate.
For Non-applicant/State: Shri Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 18/2015 registered at Police Station Ambikapur, District Surguja for the offence punishable under Section 420 & 342/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that, the applicant & other co-accused persons obtained Rs.77,000/- each from seven

complainants in the name of Glaze Trading India Private Limited for securing job and for giving commission by selling products of Glaze Trading India Private Limited and, thereby, committed aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He would further submit that co-accused persons namely Anil Manjhi & Vishram Koushik have already been granted regular bail by this Court vide order dated 06.04.2015 in M.Cr.C.No. 907/2015. He further submits that applicant is in jail since 19.01.2015; evidence has already been commenced; charge sheet has already been filed against the applicant; no custodial interrogation is required and, as such, no useful purpose would be served in keeping him in jail and, therefore, he may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused persons, who have already been granted regular bail by this Court vide order dated 06.04.2015 in M.Cr.C. No. 907/2015.

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 06.04.2015 in M.Cr.C. No. 907/2015; applicant is in jail since 19.01.2015; charge sheet has already

been filed against the applicant & no custodial interrogation is required; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-