

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 2846 of 2015

1. Shivkumar Kathley, aged about 47 years (wrongly mention as 40 years) s/o. Nanuha Kathle.
2. Salikram Kathley, aged about 56 years (wrongly mention as 50 years) s/o. Nanuha Kathle.

Both r/o. village Hardi (Khektara), Thana Lormi, Revenue District Mungeli, Civil District Bilaspur (CG).

---- Applicants

Versus

- State Of Chhattisgarh Through: Police Station Lalpur, District Mungeli.

---- Respondent

For Applicants	:	Mr. Parag Kotecha, Advocate.
For Respondent/State	:	Mr. Aditya Sharma Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

15/7/2015

1. This is a second bail application. First bail application was dismissed as withdrawn with liberty to revive the same after filing of charge-sheet.
2. The applicants have moved these applications under Section 439 of the Cr.P.C. for grant of regular bail, who have been arrested on 6-2-2015 in connection with Crime No. 31 of 2015 registered at Police Station Lalpur, Mungeli, District Bilaspur(CG), for the offence punishable under Sections 307, 341, 147, 149, 294, 506, 186, 353, 332, 333, 395 & 397 of IPC and Sections 7, 11 (e) and 14(d) of CG Local Authorities (Electoral Offences) Act, 1964.
3. Learned counsel appearing for the applicants would submit that the case of the present applicants is identical to the case of co-accused persons namely Balakdas Dhritlehre, Vishwanath Banjare and Malikram who have already been granted bail vide order dated 17-6-2015 passed by this Court

in M.Cr.C.Nos. 2639 of 2015, 2698 of 2015 and 2743 of 2015. Therefore, on the ground of parity present applicants may also be released on bail.

4. On the other hand, learned counsel for the State after verifying the record did not dispute the above contention.
5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration all the facts and circumstances of the case, nature and gravity of the offence, applicants have not been named in the FIR, charge-sheet has been filed, pretrial detention of the applicants, no further custodial interrogation is required and further considering the fact that the co-accused persons have already been granted bail, I am of the considered opinion that *prima facie* it is a fit case where the applicants can be released on bail.
7. Accordingly, the bail applications are allowed. It is ordered that the applicants Shivkumar Kathley and Salikram Kathley shall be released on bail on each of them furnishing a personal bond of Rs.25,000/- along with one surety of the like amount to the satisfaction of the trial Court. They shall appear before the trial court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge