

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3358 OF 2015**

Yad Ram Son of Santosh Chandra, Age 25 years, Occupation Agriculture,
R/o Dhobanipali, P.S. & Tahsil Dabhara, District Janjgir Champa (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through The Station House Officer, P.S. Dabhara,
District Janjgir Champa (C.G.)

---Non-applicant

For Applicant	:	Mr. Yogesh Chandra, Advocate
For Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate and Mr. S.R.J. Jaiswal, P.L.

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. 325/2014, registered at Police Station Dabhara, District Janjgir Champa (C.G.), for the offence punishable under Sections 147, 148, 149, 353, 186, 332, 307, 397 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, present applicant along with other co-accused persons committed dacoity in the premises of R.K.M. Powergen Private Limited (Power Plant) and also damaged the property worth Rs. 90 Crores and, thereby committed the aforesaid offences.

3. Learned counsel appearing for the applicant would submit that the present applicant is contractor in the R.K.M. Powergen Private Limited (Power Plant) and as such, he is known to company, therefore, he has falsely

been implicated in the crime in question. He would further submit that charge sheet has been filed and applicant is in jail since 29/03/2015. He also submits that application of co-accused persons namely Chhotelal & Tejlal was rejected by this Court in M.Cr.C. No. 6051/14 and thereafter in S.L.P. (Cri.) Nos. 4266, 4267 & 4268 of 2015 with Criminal Misc. Petition Nos. 8773, 8776 & 8779 of 2015, the Supreme Court on India has granted interim bail to them by order dated 13th May, 2015 and the case of the present applicant is identical to the above-mentioned co-accused persons, who have been granted bail by the Supreme Court of India and, therefore, the applicant may be released on 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 namely Chhotelal & Tejlal, who have already been granted bail by Hon'ble Supreme Court in Criminal Misc. Petition Nos. 8773, 8776 & 8779 of 2015 on 13th May, 2015. He would further submit that iron rod has been seized from the possession of present applicant.

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 account that similarly situated co-accused persons have already been granted interim bail by the Supreme Court of India and considering the detention period of applicant; this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on bail. Accordingly, the bail application is allowed.

7. It is directed that applicant, namely, Yad Ram shall be released on bail on his 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. 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.

8. Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari