

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3272 of 2015**

- Shankar Vishwakarma S/o Shri Balram Vishwakarma Aged About 35 years R/o Beladula, Kharraghat, Raigarh, P.S. Chakradharnagar, Tahsil Raigarh, Civil & Revenue District Raigarh (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through - Station House Officer Of The P/s Chakradharnagar District Magistrate, District Raigarh (C.G.)

---- Non-applicant

For Applicant: Shri Abhishek Saraf, Advocate.
 For Non-applicant/State: Shri Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/07/2015**

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. 112/2015 registered at Police Station Chakradharnagar, District Raigarh for the offences punishable under Sections 457 & 380 of the Indian Penal Code.

(2) As per the prosecution case, in the intervening night of 9/10.4.2015, the applicant along with other co-accused entered into the house of one Gangaram Sahu and committed theft of household items worth Rs. 40,000/-.

(3) Learned counsel appearing for the applicants 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 person namely Vijay Kumar Yadav has already been granted regular bail by this Court vide order dated 01.06.2015 in M.Cr.C. No. 2402/2015 and, therefore, the present applicant 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 person, who has already been granted regular bail by this Court vide order dated 01.06.2015 in M.Cr.C. No. 2402/2015.

(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 01.06.2015 in M.Cr.C. No. 2402/2015; 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.

(7) Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-