

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3658 of 2015

Narendra Kumar, S/o Malikram Patre, aged about 25 years, R/o Village Mudhiya, Thana Lalpur, District Mungeli (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Lalpur, District Mungeli (C.G.)

---- Non-applicant

For Applicant:	Mr. C.P. Lahrey, Advocate.
For Non-applicant:	Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

01/09/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.31/2015, registered at Police Station Lalpur, Distt. Mungeli for the offence punishable under Sections 307, 341, 147, 294, 506, 186, 353, 332 read with Section 149 of the IPC, 7, 11 (1) (e) and 14-D of the Chhattisgarh Local Authorities (Electoral Offences) Act, 1964.
2. This is the second bail application filed on behalf of the applicant for grant of regular bail. First bail application was dismissed as withdrawn by this Court vide order dated 23-3-2015 passed in M.Cr.C.No.1231/2015 and thereafter, charge-sheet has been filed on 26-4-2015.
3. Learned counsel for the applicant would submit that case of the present applicant is identical to that of co-accused persons Balakdas Dhritlehre & others, Vishwanath Banjare and Malikram & another, who had already been granted bail vide order dated 17-6-2015 passed by this Court in M.Cr.C. Nos.2639/2015, 2698/2015 and 2743/2015, respectively, as also to the case of Shivkumar Kathley & Salikram Kathley who had also been granted bail

vide order dated 15-7-2015 passed by this Court in M.Cr.C.No.2846/2015.

Therefore, on the ground of parity, present applicant may also be released on regular bail.

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

Sd/-
(Sanjay K. Agrawal)
Judge