

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3683 of 2015**

- Loknath @ Konto, Son of Jeetram Chandra, aged about 19 years, Caste Chandra, resident of village Dhobanipali, Police Station Dabhra, District Janjgir Champa (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: the Station House Officer, Police Station Dabhra, District Janjgir-Champa (C.G.)

---- Non-applicant

For Applicant: Mr. K.K. Patel, Advocate.
For Respondent/State: Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/08/2015**

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. 329/2014 registered at Police Station – Dabhra, District Janjgir-Chama for the offences punishable under Sections 395, 436, 435, 147, 148, 149, 412 & 427 of the Indian Penal Code.

(2) Case of the prosecution is that the 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 ₹ 90 crores and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant is contractor in the R.K.M. Powergen Private Limited (Power Plant) and as such, he is known to Company, therefore, applicant has falsely been implicated in the offence in question. He would further submit that the applicant is in jail since 07.11.2014. He would also submit that bail 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 Cr.M.P. Nos. 8773, 8776 & 8779/2015, the Supreme Court of 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 of India in Criminal Misc. Petition Nos. 8773, 8776 & 8779/2015 on 13th May, 2015.

(5) Taking into consideration the facts & 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 his detention period; 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 – Loknath @ Konto 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/-