

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3726 OF 2015**

Sukhnandan Prasad S/o Shri Malik Ram Kurre, Aged about 40 years, R/o Village Dighora P.S. Patharia Civil Distt. Bilaspur Revenue District Mungeli (C.G.)

---Applicant

Versus

State of Chhattisgarh, Through:- Police Station Lalpur, Distt. Mungeli (C.G.)

---Non-applicant

And**M.Cr.C. No. 3885 OF 2015**

Dhanlal Patre son of Balaram Patre, aged about 40 years, resident of Village Mudhiya, Thana Lalpur, District Mungeli (C.G.)

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Lalpur, District Mungeli Chhattisgarh.

---Non-applicant

For Applicant	: Mr. Dheerendra Pandey, Advocate in M.Cr.C. No. 3726/2015.
For-Applicant	: Mr. C.P. Lahrey, Advocate in M.Cr.C. No. 3885/2015.
For Non-applicant	: Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board**12/08/2015**

1. Above mentioned two bail applications arise out of a common Crime No. 31/2015, registered at Police Station Lalpur, District Mungeli (C.G.), for the offence punishable under Sections 307, 341, 147, 149, 294, 506, 186, 353, 332, 333, 395, 397 of Indian Penal Code and 7, 11(1)(e), 11(e), & 14-D of the C.G. Local Authorities (Electoral Offences) Act, 1964, therefore, they are being heard analogously and decided by this common

order. All the two are first bail applications filed under Section 439 of the Cr.P.C.

2. The case of the prosecution, in brief, is that, present applicants along with other co-accused persons assaulted the polling party and presiding officer of polling party, namely, Ramgopal Verma-Head Master when they were returning after election duty and interfered with their Governmental duty.

3. Mr. Dheerendra Pandey and Mr. C.P. Lahrey, learned counsel appearing for the respective applicants would submit that other co-accused persons namely, Balakdas Dhritlehre and others have played the similar role as that of the present applicants and they have already granted regular bail by this Court vide order dated 17/06/2015 passed in M.Cr.C. No. 2639/2015 and the role played by the present applicants are identical to that of the other co-accused persons. Therefore, the present applicants may also be released on regular bail on the ground of parity.

4. On the other hand, learned counsel for the State would submit that case of the present applicants is identical to other co-accused persons, who have granted bail by this Court vide order dated 17/06/2015 in M.Cr.C. No. 2639/2015.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Considering the totality of the facts and circumstances of the case and considering the fact that the applicants are in jail since 06/02/2015 & 07/04/2015 and the fact that similarly situated co-accused namely Balakdas Dhritlehre and others have already been granted regular bail by this Court in M.Cr.C. No. 2639/2015 on 17/06/2015, I consider it a fit case, in which, the

applicants should be enlarged on regular bail.

7. Accordingly, the bail applications (M.Cr.C. Nos. 3726/2015 & 3885/2015) filed under Section 439 of the Code of Criminal Procedure are allowed. It is directed that applicants namely, Sukhnandan Prasad and Dhanlal Patre shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari