

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3902 of 2015

1. Satyanarayan Sharma @ Ishwari Prasad Sharma, S/o Late Shri Motilal Sharma, Aged About 58 years, R/o Village Dongariya, Thana Lormi, Rev. Distt. Mungeli, Civil Distt. Bilaspur Chhattisgarh.
2. Ramakant Sharma, S/o. Shri Satyanarayan Sharma, Aged About 27 Years, R/o. Village Majgaon, Thana Bemetara, Civil And Rev. Distt. Bemetara Chhattisgarh Present R/o. Village Dongariya, Thana Lormi, Rev. Distt. Mungeli, Civil Distt. Bilaspur Chhattisgarh.

---- Applicants

Versus

1. The State Of Chhattisgarh, Through The Station House Officer, Police Station Lormi, Distt. Mungeli, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Sunil Sahu, Advocate
For Respondent/State	:	Ms. M. Asha, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/07/2015

1. This is the third bail application filed u/s.439 of Cr.P.C. for grant of bail to the applicants, who were arrested on 22.10.2013, in connection with Crime No.283/2013, registered at P.S. Lormi, District Mungeli for the offence punishable under Section 302, 328, 120 (B), 34 of I.P.C..
2. First bail application of the applicants was dismissed on merits on 26.03.2014 and the second bail application was dismissed on 31.10.2014.

3. Learned counsel for the applicants submits that the other co-accused namely Smt. Jyoti @ Kirti Bhatt has been released on bail in M.Cr.C. No.2095/2015 on 03.07.2015 by the Coordinate Bench of this Hon'ble Court taking into the delay in trial and the same principle is also applicable to the present applicants.
4. Copy of the order dated 03.07.2015, passed in M.Cr.C. No. 2095/2015, by the Coordinate Bench of this Court is perused. The same facts would be applicable with respect to delay in trial to the present applicants. The State counsel however, is not able to dispute the fact that other co-accused has been released on bail by the Coordinate Bench of this Court on the ground of delay.
5. Considering the fact that the other co-accused has been released on bail and to to keep a parity of the order of the Court, the application of this applicants is also allowed on the ground of delay in trial, as the witnesses have not been examined since 09.10.2014 and the applicants are in jail since 22.10.2013.
6. Accordingly, the application for grant of bail is allowed. It is directed that if the applicants furnish a personal bond for a sum of Rs.25,000/- each with one surety of the like amount to the satisfaction of the concerned trial Court, they shall be released on bail. The applicants are directed to appear before the Trial Court on each and every date given to them by the said Court till disposal of the Trial.

Sd/-
(Goutam Bhaduri)
Judge