

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4176 OF 2015**

Santosh Kumar Barman, aged about 39 years, S/o Harinath Barman, R/o District Hospital Campus, Government Quarter, Janjgir, P.S. and Post Janjgir, Civil and Revenue District Janjgir-Champa (C.G.)

---Applicant

Versus

State of Chhattisgarh, through Police Station Hasaud, District Janjgir-Champa (C.G.)

---Non-applicant

For Applicant	:	Mr. Manoj Paranjpe, Advocate
For Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****25/08/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 18/2015, registered at Police Station Hasaud, District Janjgir-Champa (C.G.), for the offence punishable under Sections 147, 148, 149, 332, 186, 353, 427, & 324 of Indian Penal Code and Section 135-A, 136 of Representation of People Act.

2. Case of the prosecution, in brief, is that, on 29/01/2015 after declaration of result of election of Gram Panchayat Chisda, the applicant along with other co-accused persons assaulted S.D.O. (Revenue) & S.D.O. (Police), who were engaged in the election duties, and also damaged their vehicles and thereby committed the aforesaid offences.

3. Learned counsel for the applicant submits that other co-accused person, namely, Sampatlal has played the similar role as that of the present applicant, who has already granted regular bail by this Court vide order dated 05/08/2015 passed in M.Cr.C. No. 1290/2015 and the role played by the present applicant is identical to that of the other co-accused person.

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

4. On the other hand, learned counsel for the State submits that case of the present applicant is identical to other co-accused person namely Sampatlal, who has granted bail by this Court vide order dated 05/08/2015 passed in M.Cr.C. No. 1290/2015.

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

6. Taking into consideration the facts and circumstances of the case; looking to the nature and gravity of the offence; considering his role in the offence in question and the fact that he is in jail since 04/07/2015; charge sheet has already been filed; no custodial interrogation is required and particularly the order passed by this Court on 05/08/2015 in M.Cr.C.No. 1290/2015 granting regular bail to the other accused person, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing 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.

9. Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE