

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MISC. CR. CASE NO. 4358 OF 2015**

1. Kirtan, son of Sammelal Satnami, aged about 30 years,
2. Saroj, son of Samaroo Sahu, aged about 31 years,
3. Shashibhusan, son of Bujuram, aged about 24 years,
4. Ashok Sahu, son of Samaroo Sahu, aged about 28 years,

All are resident of village Chisda, Post Office Hasoud, Police Station Hasoud, Civil and revenue District Janjgir Champa (Chhattisgarh)

---Applicants**Versus**

State of Chhattisgarh, through the Station House Officer, Police Station Hasoud, Civil and Revenue District Janjgir Champa (C.G.)

---Non-applicant

For Applicants	:	Mr. Kamal Kishore Patel, Advocate
For Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****31/08/2015**

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 applicants who have been arrested in connection with Crime No. 18/2015, registered at Police Station Hasaud, Civil and Revenue District Janjgir Champa (C.G.), for the offence punishable under Sections 147, 148, 149, 332, 186, 353, 427, 324 of the IPC and Sections 135, 136, Representation of People Act and Section 3 of Prevention of Public Property Damages Act.

2. Learned counsel for the applicants submit that other co-accused person has played the similar role as that of the present applicants and other

co-accused person namely Sampatlal has already granted regular bail by this Court vide order dated 13/08/2015 passed in M.Cr.C. No. 3938/2015 and the role played by the present applicants are identical to that of the other co-accused person. Therefore, the present applicants may also be released on regular bail on the ground of parity.

3. On the other hand, learned counsel for the State submits that case of the present applicants is identical to other co-accused person, who has granted bail by this Court vide order dated 13/08/2015 passed in M.Cr.C. No. 3938/2015.

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

5. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; considering the fact that till this date trial has not been commenced; the applicants are languishing in jail since 29/01/2015 and also considering the fact that trial will take time and particularly the order passed by this Court on 13/08/2015 in M.Cr.C. No. 3938/2015 granting regular bail to the other accused person, this Court is of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.

6. According, bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that applicants, namely, Kirtan, Saroj, Shashibhusan, and Ashok Sahu, 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