

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4653 OF 2015**

Jaleshwar @ Jalla Sahu S/o Shri Fagu Ram Sahu aged about 35 years R/o village Podi Thana Bilha Tahsil Bilha Civil and Revenue District Bilaspur (C.G.)

---Applicant

Versus

State of Chhattisgarh, through, the Station House Officer, Bilha, District Bilaspur (C.G.)

---Non-applicant

For Applicant	:	Mr. Amit Kumar Chaki, Advocate
For Non-applicant	:	Ms. Anusuiya Rajput, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****07/09/2015**

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. 106/2015 registered at Police Station Bilha, District Bilaspur (C.G.), for the offence punishable under Sections 498(A) and 306 read with Section 34 of I.P.C.

2. Case of the prosecution, in brief, is that, on account of abetment extended by the applicant and co-accused namely Mahaveer Sahu, Rajni committed suicide on 01/12/2009.

3. Learned counsel for the applicant submits that other co-accused person has played the similar role as that of the present applicant and other co-accused person namely Mahaveer Sahu has already granted regular bail by this Court vide order dated 04/08/2015 passed in M.Cr.C. No. 3727/2015

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, who has granted bail by this Court vide order dated 04/08/2015 passed in M.Cr.C. No. 3727/2015.

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; further considering the extent of delay in lodging the FIR; applicant is in jail since 20/05/2015; no custodial interrogation is required and also considering the order passed by this Court on 04/08/2015 in M.Cr.C. No. 3727/2015 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. It is ordered that the applicant shall be released on bail on his furnishing a personal bond of **Rs.25,000/-** along with one surety of the like amount 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.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE