

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 4977 OF 2015**

1. Anand @ Nandu Adholiya S/o Shiv Prasad Adholiya aged about 22 years,
2. Sanju Kumar @ Sanju Dhruv S/o Santu Dhruv aged about 19 years
Both are R/o village Jalso Bhuribhatha Police Station Koni Civil and Revenue District Bilaspur (CG)
3. Vikrant @ Vicky Verma S/o Late Vijay Verma aged about 25 years R/o Ward No.9 Chakarbhata Camp, Police Station Chakarbhata Civil and Revenue District Bilaspur (CG)

---Applicants**Versus**

State of Chhattisgarh, Through Station House Officer Police Station Chakarbhata District Bilaspur (C.G.)

---Non-applicant

For Applicants	:	Mr. Dharmesh Shrivastava, Advocate
For Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****21/09/2015**

1. Learned counsel for the applicants seeks permission of this Court to withdraw the instant bail application with regard to applicant No.1- Anand @ Nandu Adholiya.
2. Permission granted.
3. Accordingly, the present bail application is dismissed as withdrawn with regard to applicant No.1- Anand @ Nandu Adholiya.
4. Heard on the application for regular bail with regard to the applicants No.2 & 3 i.e. Sanju Kumar @ Sanju Dhruv and Vikrant @ Vicky

Verma.

5. The applicants No.2 & 3 have moved this application under Section 439 of the Cr.P.C. for grant of regular bail who have been arrested in connection with Crime No. 136/2015, registered at Police Station Chakarbhata, District Bilaspur, CG, for the offence punishable under Sections 294, 506(2), 147, 148, 307/149 of Indian Penal Code. The applicants No.2 & 3 have arrested on 02/05/2015.

6. Case of the prosecution, in brief, is that presents applicants along with other co-accused person are alleged to have caused injuries to Kukku Ajmani on 02/05/2015, by which, he suffered grievous injuries, which were sufficient to cause his death.

7. Learned counsel for the applicants No. 2 & 3 submits that other co-accused person has played the similar role as that of the present applicants No. 2 & 3 and other co-accused person has already granted regular bail by this Court vide order dated 31/08/2015 passed in M.Cr.C. No. 4386/2015 and the role played by the present applicants No. 2 & 3 is identical to that of the other co-accused person. Therefore, the present applicants No. 2 & 3 may also be released on regular bail on the ground of parity.

8. On the other hand, learned counsel for the State submits that case of the present applicants No. 2 & 3 is identical to other co-accused person, who has granted bail by this Court vide order dated 31/08/2015 passed in M.Cr.C. No. 4386/2015.

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

10. Taking into consideration the facts and circumstances of the case;

further taking into consideration the nature and gravity of offence; the injuries said to have been caused by accused- Anand Adholiya; role of the present applicants No. 2 & 3, their pretrial detention; and particularly considering the order passed by this Court on 31/08/2015 in M.Cr.C. No. 4386/2015 granting regular bail to the other accused person, this Court is of the opinion that present is the fit case, in which, the applicants No. 2 & 3 should be enlarged on regular bail.

11. Accordingly, the bail application filed on behalf of the applicants No. 2 & 3 under Section 439 of the Cr.P.C. is allowed. It is directed that the applicants No. 2 & 3, namely, Sanju Kumar @ Sanju Dhruv and Vikrant @ Vicky Verma 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 trial Court, for their appearance as and when directed.

12. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari