

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6172 of 2015

Ramnath Sahu, S/o. Bhagbali Sahu, Aged About 50 Years, R/o. Village Bodtarakala, Police Chowki- Chilfi, Tehsil Lormi, District Mungeli, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Lormi, Police Chowki - Chilfi, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anish Tiwari, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.362/2013 registered at Police Chowki- Chilfi, Police Station- Lormi, District Mungeli (C.G.) for the offence punishable under Sections 147, 186, 427, 353 & 307 of Indian Penal Code.
2. As per the prosecution case, in brief, on 04.11.2013 when the police staff entered into the village and raided the place where the offence of gambling was committed and when the police tried to arrest certain persons, the villagers became annoyed and started pelting stones on the police party and caused injuries to them. However, no grievous injuries were reported to be caused to the policemen.
3. During the course of arguments, learned counsel for the applicant submits that the applicant had not been identified nor any seizure

has been made from him and the similarly placed co-accused have already been granted regular bail in M.Cr.C. No.5508/2013, M.Cr.C. No.5882/2013 & M.Cr.C. No.303/2014 respectively. Therefore, he submits that the present applicant may also be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail; however he do not dispute the fact that the other co-accused have been granted bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the material collected on behalf of the prosecution and the period of detention of the applicant and further being in parity with the case of other co-accused who have already been granted bail, the present applicant also deserves to be released on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge