

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3417 OF 2015**

Ranjit Mahant, S/o Jaiprakash Mahant Age 21 years, R/o Village Chhal, P.S.
Chhal, Distt. Raigarh (C.G.)

---Applicant

Versus

State of Chhattisgarh, Through Distt. Magistrate, Distt. Raigarh (C.G.)

---Non-applicant

For Applicant	:	Mr. Amit Kumar Sharma, Advocate.
For-Non-applicant	:	Mr. Suvigya Awasthi, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****08/07/2015**

1. Heard on admission.
2. Admit.
3. Issue notice.
4. Mr. Awasthi, P.L. accepts notice on behalf of State/non-applicant.
5. With the consent of learned counsel for the parties, the matter is heard finally.
6. This is the second 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.197/2009, registered at Police Station Chhal, Distt.-Raigarh, for the offence punishable under Sections 457, 380 of I.P.C.

7. First bail application of the applicant has been dismissed vide order dated 06/04/2015 in M.Cr.C. No.829/2015.

8. Learned counsel for the applicant submit that other co-accused-Rohit Rathiya has played the similar role as that of the present applicant and he has already granted regular bail by this Court vide order dated 16/06/2015 passed in M.Cr.C. No.2482/2015 and the role played by the present applicant is identical to that of the other co-accused, therefore, the present applicant may also be released on regular bail on the ground of parity.

9. On the other hand, learned counsel for the State submits that case of the present applicant is identical to other co-accused-Rohit Rathiya, who has granted bail by this Court vide order dated 16/06/2015 in M.Cr.C. No.2482/2015.

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

11. Considering the totality of the facts and circumstances of the case and considering the fact that the applicant is in jail since 12/01/2015 and the fact that similarly situated co-accused, namely, Rohit Rathiya has already been granted regular bail by this Court in M.Cr.C. No.2482/2015 on 16/06/2015, I consider it a fit case, in which, the applicant should be enlarged on regular bail.

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

13. 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 for the like sum to the satisfaction of the trial Court concerned, for his appearance as and when

directed.

14. Certified copy as per rules.

Tiwari

Sd/-
(Sanjay K. Agrawal)
JUDGE