

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 3033 OF 2015**

Bhawani Shankar Yadaw, S/o Raghunath Yadaw, aged about 40 year, Occup. Agriculturist & Public Representative (Vice President of Janpad Panchyat Pusaure) R/o Vill. Kotasura, Thana Pusaure, Civil and Revenue District Raigarh, Distt. Raigarh (C.G.)

---Applicant

Versus

State of Chhattisgarh, Through: Police Thana- Pusaure, Distt. Raigarh (C.G.)

---Non-applicant

For Applicant	:	Mr. Sanjay Agrawal, Advocate
For Non-applicant	:	Mr. Ramakant Mishra, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****27/07/2015**

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. 23/2015, registered at Police Station Pusaure, Distt. Raigarh, for the offence punishable under Sections 420/34 of Indian Penal Code, and 3, 7 of Essential Commodities Act, 1955.

2. Case of the prosecution, in brief, is that present applicant was working as Salesman of Gram Panchayat, Kotasura and the allegation against the applicant is that the fair price shop was handed over to Gram Panchayat for running and later on it was found that essential commodities were siphoned away in the name of dead persons.

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 Basant Yadaw has already granted regular bail by this Court vide order dated 17/06/2015 passed in M.Cr.C. No. 2648/2015 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 17/06/2015 passed in M.Cr.C. No. 2648/2015.

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 particularly the order passed by this Court on 17/06/2015 in M.Cr.C. No. 2648/2015 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.

8. 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 in the like sum to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE