

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3975 OF 2015**

Shiv Kumar S/o Gullu aged about 22 years R/o village Manikprakashpur,
Police Station Ambikapur, Civil and Revenue Distt. Surguja (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Station House Officer, Police Station
Ambikapur, District Surguja (C.G.)

---Non-applicant

For Applicant	:	Mr. Avinash Singh, Advocate
For Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/08/2015**

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. 319/2015, registered at Police Station Ambikapur, District Surguja (C.G.), for the offence punishable under Sections 294, 323, 506, 354/34 of I.P.C. and Section 7 & 8 of the Protection of the Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that, on 23/06/2010 applicant outraged the modesty of the victim and also assaulted her, by which, she suffered simple injuries.

3. Learned counsel for the applicant submits that other co-accused person, namely, Tava @ Raj Kumar Tirkey has played the similar role as that of the present applicant, who has already granted regular bail by this Court vide order dated 04/08/2015 passed in M.Cr.C. No. 3714/2015 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. 3714/2015.

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 04/08/2015 in M.Cr.C. No. 3714/2015 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 by the said Court.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE