

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4243 of 2015**

- Yogendra Patel @ Murlidhar Patel, S/o. Shri Devlal Patel, aged about – 28 years, R/o. - Village – Kotarlia, P/s. Chakradharnagar, Civil and Revenue District – Raigarh (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh, Through: S.H.O. Of the Police Station – Chakradharnagar, Raigarh (C.G.)

---- Non-applicant**MCRC No. 4259 of 2015**

- Tulesh Chauhan, S/o Ramesh Chauhan, aged about 22 years, R/o Kotarliya Raigarh, P.S. Chakradhar Nagar, Tah. & Distt. Raigarh. (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh, Through: Station Incharge, Police Station Chakradhar Nagar, District Raigarh (C.G.)

---- Non-applicant**And****MCRC No. 4266 of 2015**

- Vasudev Pradhan, S/o Bodhram Pradhan, A/A 35 years, Occupation – Farmer, Permanent R/o Village Bhengari, Thana & Tahsil Gharghoda, District Raigarh (C.G.), Present address Village Kotarliya, P.S. Chakradhar Nagar, Tahsil & District – Raigarh (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh, Through: Station Incharge, Police Station Chakradhar Nagar, District Raigarh (C.G.)

---- Non-applicant

For Applicant: Mr. Abhishek Saraf, Advocate in
M.Cr.C. No. 4243/2015

For Applicants: Mr. Anumeh Shrivastava, Advocate in
M.Cr.C. Nos. 4259/2015 & 4266/2015

For Non-applicant/State: Mr. Neeraj Jain, Govt. Advocate for the
State.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

24/08/2015

Heard.

(1) Above mentioned bail applications filed under Section 439 of the Code of Criminal Procedure arise out of a common Crime No.139/2015, registered at Police Station Chakradharnagar, District Raigarh (C.G.), for the offences punishable under Sections 147,148,149,341,294,506(B),323,307 & 435 of the Indian Penal Code , therefore, they are being heard analogously and decided by this Common Order.

(2) Case of the prosecution, in brief, is that, the applicant alongwith seven co-accused persons not only abused but also assaulted complainants/injured-Ashish Goyal, Amit Goyal, Shanker Lal Agrawal & Devendra Sahu, by which, they suffered grievous injuries, which were sufficient to cause their death and, thereby, committed the aforesaid offences.

(3) Learned counsel appearing for the applicants would submit that the applicants are innocent person and they have falsely been implicated in the crime in question. He would further submit

that co-accused person namely Kishore Pradhan, Ravindra, Rajesh Pradhan, Moti Chand @ Gopi Chand, Sharad Pradhan & Arjun have already been granted regular bail by this Court vide order dated 07.07.2015 in M.Cr.C. No. 2574/2015 and, therefore, the present applicants may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused persons, who have already been granted regular bail by this Court vide order dated 07.07.2015 in M.Cr.C. No. 2574/2015.

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 07.07.2015 in M.Cr.C. No. 2574/2015; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

(6) Accused/applicants **Yogendra Patel @ Murlidhar Patel, Tulesh Chauhan & Vasudev Pradhan** are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

