

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4403 of 2015**

Amit Sharma, S/o Prashant Sharma, aged about 19 years, R/o Village Shrishti Colony, Atal Aawas Rajnandgaon, P.S. Basantpur, Civil & Revenue Distt. Rajnandgaon (C.G.)

---- Applicant

Versus

State Of Chhattisgarh through, P.S. Basantpur, Distt. Rajnandgaon (C.G.)

---- Non-applicant

For Applicants:	Shri Arvind Dubey, Advocate.
For Respondent/State:	Shri Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****31/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.489/2014 registered at Police Station Basantpur, Distt. Rajnandgaon (C.G.) for the offence punishable under Section 307/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 13-10-2014 present applicant along with other co-accused assaulted complainant Manish Chowhan by knife as a result of which he sustained grievous injuries which were sufficient to cause his death and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He would further submit that co-accused person namely Atshal Ashwin Ekka has already been granted regular bail by this Court vide order dated 27.04.2015 in M.Cr.C. No. 1378 of 2015 and, therefore, the present applicant 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 person, who has already been granted regular bail by this Court vide order dated 27.04.2015 in M.Cr.C. No. 1378/2015.

(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 27.04.2015 in M.Cr.C. No. 1378/2015; applicant is in jail since 15.10.2014; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his 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. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

