

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4624 of 2015

1. Udit Narayan Sahu, S/o Deo Prasad, aged about 24 years,
2. Deo Prasad Sahu, S/o Shri Ramratan Sahu, aged about 50 years,

Both are R/o Village Chisda, Police Station Hasoud, Tahsil Jaijaipur, District Janjgir-Champa (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through District Magistrate, Police Station Hasoud, District Janjgir-Champa (C.G.)

---- Non-applicant

For Applicants:	Mr. Gurudev I. Sharan, Advocate.
For Non-applicant:	Mr. Om Prakash Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

07/09/2015

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.18/2015, registered at Police Station Hasoud, Distt. Janjgir-Champa, for the offence punishable under Sections 147, 148, 332, 353, 324, 186 & 427 read with Section 149 of the IPC; Sections 135 & 136 of the Representation of the People Act, 1950; and Section 3 of the Prevention of Damage to Public Property Act, 1984.
2. Learned counsel for the applicants submits that other co-accused persons have played similar role as that of the present applicants and other co-accused persons namely Sampatlal, Smt. Pooja, Ku. Setbai & Ku. Vidya have already been granted regular bail by this Court vide order dated 13-8-2015 passed in M.Cr.C.Nos.3938/2015 & 4253/2015. Similarly, other co-accused persons namely Kirtan, Saroj, Shashibhusan & Ashok Sahu have

also been granted regular bail by this Court vide order dated 31-8-2015 passed in M.Cr.C.No.4358/2015. The role played by the present applicants is identical to that of the other co-accused persons who have been granted regular bail. Therefore, the present applicants may also be released on regular bail on the ground of parity. Present applicants are in jail since 29-1-2015.

3. On the other hand, learned State counsel opposes the application, but submits that case of the present applicants is identical to that of the other co-accused persons who have been granted bail by this Court vide order dated 13-8-2015 passed in M.Cr.C.Nos.3938/2015 & 4253/2015 and order dated 31-8-2015 passed in M.Cr.C.No.4358/2015.
4. I have heard learned counsel appearing for the parties and perused the case diary.
5. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, considering the fact that till this date trial has not been commenced, the applicants are languishing in jail since 29-1-2015 and also considering the fact that trial will take time and particularly the orders passed by this Court on 13-8-2015 in M.Cr.C.Nos.3938/2015 & 4253/2015 and on 31-8-2015 in M.Cr.C.No.4358/2015 granting regular bail to the other co-accused persons, I am of the view that it is a fit case to grant regular bail to the present applicants also. Accordingly, the application is allowed.
6. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge