

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4664 OF 2015**

Mewa Singh S/o Mandal Ram aged about 23 years R/o Manik Prakashpur,
PS Ambikapur, Dist. Sarguja (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through, the Station House Officer, Police Station
Ambikapur (Sarguja) (C.G.)

---Non-applicant

For Applicant	:	Mr. Jitendra Shrivastava, Advocate
For Non-applicant	:	Mr. S.R.J. Jaiswal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****07/09/2015**

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 Sarguja, for the offence punishable under Sections 294, 323, 506 & 354/34 of I.P.C. and Section 9(g) & 10 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that, on 23/06/2010 applicant along with other co-accused person outraged 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 has played the similar role as that of the present applicant and other co-accused person namely Tava @ Raj Kumar Tirkey 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; further considering the fact that applicant is in jail since 02/07/2015; charge sheet has already been filed and also considering 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 to him by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE