

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5665 of 2015

- 1. Top Singh @ Top Singh Kurre, son of Bharat Lal Kurre, Aged About 30 Years, resident of Village Nipaniya, P.S. Lalpur, Distt. Mungeli (Chhattisgarh).
 - 2. Goutam Patre, S/O Dhanlal Patre, Aged About 20 Years R/O Village Mudhiya, P.S. Lalpur, Distt. Mungeli (Chhattisgarh).
 - 3. Dhanpat Patre, S/O Balaram Aged About 35 Years, R/O Village Mudhiya, P.S. Lalpur, Distt. Mungeli (Chhattisgarh).
 - 4. Lalwa @ Santosh Thakur, S/O Umendi, Aged About 32 Years, R/O Village Kodwa Bani, P.S. Lalpur, Distt. Mungeli (Chhattisgarh).
- Applicants

Vs.

State Of Chhattisgarh Through - Station House Officer, P.S. Lalpur, Distt. Mungeli (Chhattisgarh).

---- Respondents

For the applicants	:	Mr. C.P. Lahrey Advocate
For the Respondent	:	Mr. S.R.J. Jaiswal, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.11.2015

- 1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 31 of 2015 registered at P.S. Lalpur, District Mungeli (C.G) for the offence punishable under Sections 307, 341, 147, 149, 294, 506, 186, 353, 332 of IPC and Sections 7, 11(m) & 14(3) of Chhattisgarh Local Authorities (Electoral Offences) Act, 1964.
- 2. The prosecution case in brief is that the present applicants alongwith other co-accused assaulted the polling party and the Presiding Officer of the Polling party namely Ramgopal Verma, Head Master, when they were returning after election duty and interfered with their Government duty and thereby committed the aforesaid offences.
- 3. Learned Counsel for the applicants submits that the other co-accused

persons namely Sukhnandan Prasad, Dhanlal Patre, Panna @ Parmeshwar Dhirhi and Rameshwar Dhirhi against whom similar allegations have been levelled by the complainant have been granted bail by this Court in M.Cr.C.No.3726/2015, M.Cr.C.No.3885/2015 and M.Cr.C.No.5666/2015 by order dated 12.08.2015 and 15.10.2015, and the role played by the present applicants are similar to that of the other co-accused. He prays that being in parity with the case of other co-accused, the present applicants may also be enlarged on bail.

4. On the other hand, learned State Counsel opposes the bail application. However, he does not dispute the fact that similarly placed other co-accused have been granted bail.
5. Having perused the case diary and considering the totality of the facts and circumstances of the case especially the fact that similarly situated co-accused in connection with the same crime number have already been granted bail by this Court, it is a fit case enlarge the present applicants also on bail.
6. Accordingly, M.Cr.C.No.5665 of 2015 is allowed and the present applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They are directed to appear before the said Court on each and every date given by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE