

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6275 of 2015

1. Anil Chakravarti @ Babli, aged about 47 years, son of Late Santranjan Chakravarti,
2. Ajay Chakravarti @ Bittu, aged about 25 years, son of Shri Anil Chakravarti.

Both are R/o. Narmadapara (Chikhlaadeeh), P.S. Gandhi Nagar, Ambikapur, Civil and Revenue District Sarguja (C.G.)

----Applicants

Versus

1. State Of Chhattisgarh, Through : Police Station- Gandhinagar, Ambikapur, Civil & Revenue District – Sarguja (C.G.)

---- Respondent

For Applicant : Mr. Vivek Bhakta, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/11/2015

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 applicants who have been arrested in connection with Crime No.194/2015, registered at Police Station – Gandhi Nagar, Ambikapur, District – Sarguja (C.G.) for the offence punishable under Section 294, 323, 506, 458, 325, 147, 148, 149 (as per challan) of the Indian Penal Code.
2. Case of the prosecution, in brief, is that, the applicants alongwith other co-accused threatened to ablaze the house and assaulted one Durga Pandey on 24.09.2015 over the land dispute.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case. He would further submit that the applicants are in jail since 29.09.2015 and 30.09.2015 respectively.

He would further submit that similarly placed co-accused has been enlarged on bail by the coordinate Bench of this Court in M.Cr.C.No.5973/2015 vide order dated 16.11.2015 and the allegation against this applicants is similar, therefore, he prays that the applicants are also entitled for bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, do not dispute the fact that other co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the fact that similarly placed co-accused has been enlarged on bail, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge