

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6393 of 2015**

Bhupendra Chandrakar, son of Chhamn Chandrakar, aged about 32 years,  
resident of village Sukhataai, out post Khandsara, P.S. Bemetara,  
Revenue/Civil Distt. Bemetara (C.G). ... **Petitioner**

**Versus**

State of Chhattisgarh, through Outpost Khandsara, P.S. Bemetara, Distt.  
Bemetara, Chhattisgarh

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| For the applicant  | : | Mr. Samir Singh, Advocate  |
| For the Respondent | : | Mr. Anupam Dubey, Dy. A.G. |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**26 .11.2015**

1. This is an application filed under section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant in connection with Crime No. 87/2015 registered at Police Station Bemetara, Distt. Bemetara, Chhattisgarh for the offences punishable under sections 147, 148, 149 & 302 IPC
2. As per the prosecution case, the present applicant alongwith other co-accused committed murder of one Ghanshyam on 07.02.2015. It is alleged that out of animosity, the deceased was tied with an electric pole and thereafter he was assaulted by the accused by way of club. The accused persons have developed animosity on suspicion that earlier, the deceased Ghanshyam has committed murder of Chhamman who was father of the present applicant.
3. Learned counsel for the applicant submits that the eye witnesses though have been examined but they have not specifically named the applicant Bhupendra Chandrakar. He further submits that the applicant is in jail since 09.02.2015 and similarly placed co-accused Sukdeo and Uttam have been enlarged on bail by this Court in MCRC No.4335/2015 on 28.10.2015, therefore, on parity he prays for

releasing the applicant on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail and submits that the applicant has criminal antecedents as earlier he was involved in two other criminal cases. However, he does not dispute the fact that similarly placed co-accused have been granted bail in the instant crime.
5. I have gone through the case diary and other documents..
6. Having regard to the statements of the eye witnesses who have not categorically named the present applicant Bhupendra Chandrakar and on this ground, similarly placed co-accused have been enlarged on bail by this Court and considering the fact that the applicant is said to be in jail since 09.02.2015, I am inclined to enlarge the applicants on bail.
7. Accordingly the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
8. Cc as per rules.

**Sd/-**

**GOUTAM BHADURI  
JUDGE**