

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6642 of 2015

Dinesh Kumar S/o Vishal Singh Aged About 21 Years Caste - Gond
R/o Korbee, Police Station Katghora, Civil & Revenue District - Korba
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer Police
Station Katghora, District - Korba Chhattisgarh

---- Respondent

For Applicant : Mr. Sanjeev Sahu, Advocate
For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.188/2015 registered at Police Station- Katghora, District Korba (C.G.) for the offence punishable under Sections 379/34 of Indian Penal Code & Section 3 & 5 of Prevention of Damages to Public Property Act.
2. Case of the prosecution is that the present applicant alongwith other co-accused have stolen electric wire owned by Kalptaru Power Transmission Limited in the month of May-June, 2015 and subsequently the said wires were recovered from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is in jail since 02.08.2015 and the charge sheet has been filed. He

further submits that the other co-accused persons namely Atma Ram Markam and Phool Singh have already been granted bail by this High Court in M.Cr.C. No. 5756 of 2015 on 02.11.2015 and the applicants may also be entitled for bail on the ground of parity.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the applicant is in jail since 02.08.2015 and also the fact that the similarly placed co-accused persons have already been enlarged on bail by this court in M. Cr.C. No 5756 of 2015 on 02.11.2015 , I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety 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