

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6650 of 2015**

1. Tridev @ Punnu S/o Malikram Chouhan Aged About 22 Years R/o Barbaspur, Police Station-Katghora, District - Korba Chhattisgarh
2. Rajesh Kumar S/o Sahettar Ram Chouhan Aged About 20 Years R/o Barbaspur, Police Station - Katghora, District - Korba Chhattisgarh

**---- Applicants**

**Versus**

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

**---- Respondent**

-----  
For Applicants : Mr. Aditya Khare, 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 applicants who have 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 applicants 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 applicants.
3. Learned counsel for the applicants submits that the applicants are 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 applicants are 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 applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on furnishing a personal bond for a 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