

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7279 of 2015

1. Parmanand Gupta, S/o. Shri Maturam, aged about 36 years, R/o. Village-Kurra, P.S. & Tahsil-Lailunga, District – Raigarh, Civil and Revenue District – Raigarh (C.G.)
2. Ghanshyam Sao, S/o. Shri Girdharilal, aged about 37 years, R/o. Village-Kurra, P.S. & Tahsil-Lailunga, District – Raigarh, Civil and Revenue District – Raigarh (C.G.)

----Applicants

Versus

1. State Of Chhattisgarh, Through : Police Station – Lailunga, District – Raigarh (C.G.)

---- Respondent

For Applicants : Mr. M.K. Sinha, Advocate

For Respondent/State : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/12/2015

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.152/2015, registered at Police Station – Lailunga, District – Raigarh (C.G.) for the offence punishable under Section 147, 353, 186, 332/34, 294, 506-B, 452 of I.P.C. and 3 (2) (A) of the Prevention of Damage to Public Property Act, 1984.
2. Case of the prosecution, in brief, is that on on 01.06.2015, applicants alongwith other co-accused persons interfered with the governmental work to be performed by public servants and caused hurt and endangered the life of public servants.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case as they are nothing to do with

the same. He would further submit that injuries suffered by the victim are simple in nature, applicants are in custody since 30.11.2015 and the substantial investigation has been made. He would further submit that similarly placed co-accused persons have been enlarged on bail by the Co-ordinate Bench of this Court in M.Cr.C.4300/2015, vide order dated 25.08.2015, therefore, the counsel prays that the applicant may also be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, on verification do not dispute the fact that similarly placed co-accused persons have already 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 persons in this case have already been released on bail by the Co-ordinate Bench of this Court in M.Cr.C.No.4300/2015, vide order dated 25.08.2015, I am inclined to release the applicant on 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