

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4932 of 2015**

- Zainul, son of Naseeruddin, aged 34 years, R/o Village & P.S. Shankargarh, District Balrampur-Ramanujganj (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Shankargarh, Distt. Balrampur, Ramanujganj (C.G.)

---- Non-applicant

For Applicant: Mr. Sushil Dubey, Advocate.
For Respondent/State: Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****21/09/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 52/2015 registered at Police Station Shankargarh, Distt. Balrampur-Ramnujganj (C.G.) for the offences punishable under Sections 420, 467, 468, 471 & 120-B of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that Sastu sold joint land held with complainant Phoolchand to Anjua on 20-12-2015 by registered sale deed dated 20.2.2015, in which, Phoolikarp Bakla impersonated himself as Phoolchand and applicant stood as a witness.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He would further submit that similarly situated co-accused person namely Anil Lakda has already been granted regular bail by this Court vide order dated 01.09.2015 in M.Cr.C. No. 4260/2015 and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused person, who has already been granted regular bail by this Court vide order dated 01.09.2015 in M.Cr.C. No. 4260/2015.

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 01.09.2015 in M.Cr.C. No. 4260/2015; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

