

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4971 of 2015

Umesh Rajak, S/o Late Ramprit Rajak, aged about 48 years, R/o Jamwantpur, Police Station Ramanujganj, Distt. Balrampur (C.G.)

---- Applicant

Versus

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

---- Non-applicant

For Applicant:	Mrs. Indira Tripathi, Advocate.
For Non-applicant:	Mr. Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

21/09/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.223/2014 {Criminal Case No.6/2015 pending in the Court of Chief Judicial Magistrate, Ramanujganj}, registered at Police Station Ramanujganj, Distt. Balrampur, for the offence punishable under Sections 420 and 409 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the present applicant along with other two co-accused persons illegally sold the cattle kept in Gaushala, Chandanpur and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence, he has been falsely implicated in the case and he is in custody since 25-6-2015. She further submits that co-accused Suresh Singh has been granted regular bail by this Court vide order dated 5-5-2015 passed in M.Cr.C.No.1702/2015, therefore, the present applicant be also

granted regular bail on the ground of parity.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, considering the fact that co-accused Suresh Singh has already been granted bail by this Court and the present applicant is in jail since 25-6-2015, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge