

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5112 OF 2015**

Resham Lal Barman aged 48 years (wrongly mentioned as 30 years in order impugned) S/o Shri Sonsai Caste Satnami R/o village Chisda P.S. Hasoud Tahasil Jaijaipur District Janjgir-Champa (C.G.)

---Applicant

Versus

State of Chhattisgarh, through District Magistrate Janjgir-Champa District Janjgir-Champa (C.G.)

---Non-applicant

AND**M.Cr.C. No. 5113 OF 2015**

Setram son of Kriparam Sahu aged about 36 years resident of village Chisda Post Office Hasoud Police Station Hasoud Tahsil Jaijaipur Civil and Revenue District Janjgir-Champa (C.G.)

---Applicant

Versus

State of Chhattisgarh, through the Station House Officer Police Station Hasoud Civil and Revenue District Janjgir-Champa (C.G.)

---Non-applicant

For Applicant : Mr. Ishwar Jaiswal, Advocate in M.Cr.C. No.5112/2015.
 For Applicant : Mr. Kamal Kishor Patel, Advocate in M.Cr.C. No.5113/2015.
 For Non-applicant: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/09/2015**

1. Above mentioned two bail applications arise out of a common Crime No. 17/2015, registered at Police Station Hasoud, District Janjgir-Champa(C.G.), for the offence punishable under Sections 342, 394, 332, 186, 353, 323 of I.P.C. and 131, 135, 135(A) of the Representation of the People Act, therefore, they are being heard analogously and decided by this common

order. All the two are first bail applications filed under Section 439 of the Cr.P.C.

2. Learned counsel for the respective applicants submits that other co-accused person- Santosh Kumar Barman has played the similar role as that of the present applicants, who have already granted regular bail by this Court vide order dated 25/08/2015 passed in M.Cr.C. No. 4180/2015 and the role played by the present applicants is identical to that of the other co-accused person. Therefore, the present applicants may also be released on regular bail on the ground of parity.

3. On the other hand, learned counsel for the State submits that case of the present applicants is identical to other co-accused person- Santosh Kumar Barman, who have granted bail by this Court vide order dated 25/08/2015 passed in M.Cr.C. No. 4180/2015.

4. I have heard the counsel appearing for the parties and perused the case diary.

5. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of offence; considering their role in offence in question and the fact that they are in jail since 05/09/2015 & 29/01/2015 and particularly the order passed by this Court on 25/08/2015 in M.Cr.C. No. 4180/2015 granting regular bail to the other accused person- Santosh Kumar Barman, this Court is of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.

6. Accordingly, the bail applications (M.Cr.C. Nos. 5112/2015 & 5113/2015) filed under Section 439 of the Cr.P.C. are allowed. It is ordered that the applicants, namely, Resham Lal Barman and Setram, shall be

released on bail on their furnishing a personal bond of **Rs.25,000/-** each along with one surety of the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

7. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari