

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5111 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. 5131 OF 2015**

Manoj son of Santram Satnami aged about 30 years resident of village Chisda 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.5111/2015.
 For Applicant : Mr. Kamal Kishor Patel, Advocate in M.Cr.C. No.5131/2015.
 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. 18/2015, registered at Police Station Hasoud, District Janjgir-Champa(C.G.), for the offence punishable under Sections 147, 148, 149, 332, 186, 353, 427 and 324 of I.P.C. and 135(A), 136 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- Setram has played the similar role as that of the present applicants, who has already granted regular bail by this Court vide order dated 16/09/2015 passed in M.Cr.C. No. 4870/2015 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- Setram, who has granted bail by this Court vide order dated 16/09/2015 passed in M.Cr.C. No. 4870/2015.

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 the fact that till this date trial has not been commenced, the applicants are languishing in jail since 05/09/2015 and also considering the fact that trial will take time and particularly the order passed by this Court on 16/09/2015 in M.Cr.C. No. 4870/2015 granting regular bail to the other accused person- Setram, 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. 5111/2015 & 5131/2015) filed under Section 439 of the Cr.P.C. are allowed. It is ordered that the applicants, namely, Resham Lal Barman and Manoj, 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, for their appearance as and when directed.

7. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari