

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5297 of 2015**

1. Prabhu Yadav S/o Lallu Yadav Aged About 45 Years.
2. Roop Narayan @ Baba S/o Ramvihar Aged About 29 Years.
3. Nandlal S/o Ramnarayan Aged About 27 Years.
4. Munakka Yadav S/o Ramnath Aged About 35 Years

All by caste Ahir and R/o Village Batwahi, P.S. Lundra, Civil & Revenue Distt. Surguja (Chhattisgarh).

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Lundra, Distt. Surguja (Chhattisgarh).

---- Non-applicant

For Applicant:	Smt. Indira Tripathi, Advocate.
For Non-applicant/State:	Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board By****05/10/2015**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 73/2015 registered at Police Station Lundra, Distt. Surguja for the offences punishable under Sections 147, 148, 294, 506-B and 307 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that present applicants along with other co-accused persons assaulted injured persons namely Satpal Singh, Tajinder Pal Singh and Jaspal Singh by hands, fists and wooden their death and also abused them and threatened to kill them and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicants would submit that the applicants are innocent person and they have falsely been implicated in the crime in question. He would further submit that co-accused persons namely Suraj Yadav, Ghur Sai, Gahan Ram & Radhe Nagesh have already been granted regular bail by this Court vide order dated in M.Cr.C. No. 4808/2015 and, therefore, the present applicants 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 persons, who have already been granted regular bail by this Court vide order dated 14.09.2015 in M.Cr.C. No. 4808/2015.

(5) Considering the totality of the facts, in particular the fact that co-accused persons have already been granted regular bail by this Court vide order dated 14.09.2015 in M.Cr.C. No. 4808/2015; applicants are in jail since 18/21.09.2015; this court is of the view that it is a fit case to release the applicants on

bail. Accordingly, the application is allowed.

(6) Accused/applicants – **Prabhu Yadav, Roop Narayan @ Baba, Nandlal & Munakka** are directed to be released on bail on each of them 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. 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.

Sd/-

(Sanjay K. Agrawal)

Judge

D/-