NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5332 of 2015

- Mohit Agrawal, S/o Subhash Agrawal, aged 19 years, R/o Station Chowk, Gudhiyari Road, Opp. Gitanjali Hotel, Narmada Para, PS-Ganj, Civil & Rev. Distt. Raipur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh, Through: P.S. - Ganj, Civ: & Rev: Dist: Raipur (C.G.)

---- Non-applicant

For Applicant: Mr. Devershi Thakur, Advocate.

For Non-applicant/State: Mr. Neeraj K. Sharma, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

06/10/2015

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. 102/2015 registered at Police Station Ganj, Distt: Raipur for the offences punishable under Sections 294, 323, 506(B), 307, 147 & 148 read with Section 149 of the Indian Penal Code.

(2) Case on the prosecution, in brief, is that applicant along with four other co-accused persons assaulted victims – Sukhraj Singh, Avtar Singh & Rupendra Singh by knife and also abused and threatened them by which they suffered grievous injuries where were sufficient to cause their death.

(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 co-accused person namely Premprakash Sharma has already been granted regular bail by this Court vide order dated 07.09.2015 in M.Cr.C. No. 4621/2015, 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 namely Premprakash Sharma, who has already been granted regular bail by this Court vide order dated 07.09.2015 in M.Cr.C. No. 4621/2015.

(5) Considering the totality of the facts, in particular the fact that co-accused person namely Premprakash Sharma has already been granted regular bail by this Court vide order dated 07.09.2015 in M.Cr.C. No. 4621/2015; applicant is in jail 20.06.2015; 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.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)

Judge

D/-