

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5348 of 2015

1. Rajesh Kumar, S/o Devanand Ram, aged about 25 years, Occupation Constable,
2. Prem Sai, S/o Paras Nath, aged about 26 years, Occupation Agriculturist,
3. Supal Ram, S/o Panduram, aged about 42 years, Occupation Agriculturist,
4. Krishna Sai, S/o Dheersai, aged about 39 years, Occupation Agriculturist,

All are R/o Village Khantadandh, Police Station and Tahsil Bagicha, Civil and Revenue District Jashpur (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Bagicha, Civil and Revenue District Jashpur (C.G.)

---- Non-applicant

For Applicants:	Mr. Ashok Kumar Shukla, Advocate.
For Non-applicant:	Mr. Neeraj Sharma, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/10/2015

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.88/2015, registered at Police Station Bagicha, Distt. Jashpur, for the offence punishable under Sections 147, 148, 341, 323, 294 and 307 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that on 5-5-2015 at 8 p.m., the applicants and other co-accused persons assaulted Kailash Yadav, Naresh Yadav & Jin Yadav and abused them and also caused grievous injuries to them which were sufficient to cause their death and thereby the applicants have

committed the aforesaid offences.

3. Learned counsel for the applicants submits that other co-accused persons have played similar role as that of the present applicants and other co-accused persons namely Shravan Kumar and Premkumar have already been granted regular bail by this Court vide order dated 15-9-2015 passed in M.Cr.C.No.4851/2015 and the role played by the present applicants is identical to that of other co-accused persons who have already been granted bail. Therefore, the present applicants may also be released on regular bail on the ground of parity.
4. On the other hand, learned State counsel opposes the application, but submits that case of the present applicants is identical to that of other co-accused persons who have been granted bail by this Court vide order dated 15-9-2015 passed in M.Cr.C.No.4851/2015.
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 and considering the fact that similarly situated co-accused persons namely Shravan Kumar and Premkumar have already been granted regular bail, I am of the view that it is a fit case to grant regular bail to the applicants. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each 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