

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C No. 5632 of 2015**

Premdas Koshle, Aged-59 years, S/o Late Shyamratan Koshle, R/o Rajiv Nagar, Ward No. 2, Kharora, P.S. -Kharora, District – Riapur, At present working as – Block Education Officer, Simga, District-Baloda Bazar, Bhatapara (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through: P.S. Aarang, District Raipur (C.G.)

---- Non-applicant

For Applicant: Mr. R.K. Kesharwani,, Advocate.
For Non-applicant/State: Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

16/10/2015

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. 195/2014 registered at Police Station – Aarang, District Raipur for the offence punishable under Section 420/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant & another co-accused Saiyyad Disad Ali conspired and took delivery of computers, which were found assembled computers in place of branded computers in the year 2010-2011 and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant is working as Block Education Officer and he is at the verge of retirement; and on account of sanction, charge sheet even has not been filed. He further submits that the applicant is in jail since 09.09.2015 and the similarly situated co-accused -Saiyyad Dilsad Ali has already been granted bail by this Court on 13.10.2015 in M.Cr.C. No.5520/2015 and, therefore, the applicant may also be granted bail on the ground of parity.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 13.10.2015 in M.Cr.C. No. 5520/2015; and the applicant, being a Block Education Officer and at the verge of retirement, is languishing in jail since 09.09.2015, 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 -**Premdas Koshle** 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.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-