

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 657 of 2016**

Karan Mahant, S/o Kumar Das Mahant, aged about 21 years, R/o Bansajhar P.S. Chhal, District Raigarh (C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through: the Station House Officer, Police Station Dharamjaigarh, Civil & Revenue District – Raigarh (C.G.)

-----Respondent

For Applicant:	Mr. Sanjeev Sahu Advocate.
For Respondent/State:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****18/02/2016**

(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. 86/2014 registered at Police Station Chhal, District Raigarh for the offences punishable under Sections 457 & 380/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 27.5.2015 the present applicant along with other co-accused stolen 32 mobiles and 12 charges amounting to ₹ 60,000/- and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in the crime in question. He would further

submit that similarly situated co-accused person namely Raj Kumar Nageshiya has already been granted bail by this Court vide order dated 01.12.2015 in M.Cr.C. No. 6533/2015, and the applicant is in jail since 22.08.2015; and charge sheet has already been filed 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 Raj Kumar Nageshiya, who has already been granted bail by this Court in M.Cr.C. No. 6533/2015.

(5) Taking into consideration the facts & circumstances of the case and particularly the fact that similarly situated co-accused has already been granted bail by this Court vide order dated 01.12.2015 passed in M.Cr.C. No. 6533 and the fact that applicant is in jail since 22.08.2015; 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 – **Karan Mahant** 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/-

