

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1761 of 2016

Ashok Agrawal, S/o Late Shankar Lal Agrawal, aged about 30 years, R/o Seetamani Main Road, Korba, P.S. Kotwali, Tahsil & District Korba (C.G.)
 ---- Applicant

Versus

State of Chhattisgarh, Through Out Post Rampur, Police Station Kotwali, Korba, District Korba (C.G.)
 ---- Non-applicant

For Applicant:	Mr. Sandeep Dubey, Advocate.
For Non-applicant:	Mr. D.R. Minj, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board31/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.257/2015, registered at Out Post Rampur, Police Station Kotwali, Korba, Distt. Korba, for the offence punishable under Sections 147, 148, 323, 365, 325, 294 and 307 read with Section 149 of the IPC.
2. Case of the prosecution, in brief, is that on 17-6-2015, the applicant and other co-accused persons are said to have kidnapped Ritesh Shah with intent to confine him wrongfully and also assaulted him by which he suffered grievous injuries.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. Co-accused Mohammad Safique has been granted regular bail by this Court by order dated 7-9-2015 passed in M.Cr.C. No.4568/2015. Likewise, other co-accused persons Riyaz Memon

and three others have also been granted bail by this Court by order dated 28-9-2015 passed in M.Cr.C.No.5179/2015. Case of the present applicant is identical to that of the above co-accused persons who have been granted bail by this Court. The present applicant is in jail since 2-3-2016. The applicant is not having any criminal antecedents.

4. On the other hand, learned State counsel opposes the application.
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, role of the applicant, his pretrial detention, crime in question and co-accused have been granted bail, I am of the view that it is a fit case to enlarge the applicant also on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that applicant Ashok Agrawal be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- 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