

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1731 of 2016

Shinde @ Gurpreet Singh, S/o Harjeet Singh @ Babloo, aged about 26 years, Caste Sikh, R/o Risaipara, Dhamtari, Post Office Dhamtari, Police Station City Kotwali, Dhamtari, Tahsil & District Dhamtari (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.)

---- Non-applicant

For Applicant:	Mr. Shivendu Pandya, Advocate.
For Non-applicant:	Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

17/03/2016

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.194/2015, registered at Police Station City Kotwali, Dhamtari, Distt. Dhamtari, for the offence punishable under Sections 186, 332, 353, 147, 148, 294 and 153A read with Section 149 of the IPC.
2. Case of the prosecution, in brief, is that on 8-7-2015, the present applicant along with other co-accused persons, total 35 in number, deterred the police officers from performance of their public duty and also used criminal force upon them and also caused injuries to them by which they suffered grievous injuries and thereby committed the aforesaid offences.
3. Learned counsel for the applicant submits that other co-accused persons have pleaded similar role as that of the present applicant and other co-accused persons namely Robby @ Rohan Shrivastava

and Sunny Mishra @ Aakash Mishra have been granted bail by this Court by order dated 12-10-2015 passed in M.Cr.C.Nos.5476/2015 and 5479/2015, respectively. The role played by the present applicant is identical to that of the other co-accused persons who have been released on bail. The present applicant is in jail since 4-3-2016. Therefore, the present applicant may also be released on regular bail on the ground of parity.

4. On the other hand, learned State counsel opposes the application and submits that case of the present applicant is identical to that of the other co-accused persons who have been granted bail by this Court.
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, nature of injuries suffered by the police officials, charge-sheet has already been filed, pretrial detention of the applicant and particularly the fact that other co-accused persons have been granted bail, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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