

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1976 of 2016**

Gyanendra Singh, S/o. Ude Singh, aged about 45 years;
R/o. Village Kalarpara Aamgaon Tahsil Bhanupratappur,
P.S. Tadoki Revenue and Civil District North Bastar Kanker
(C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through The Police Station Tadoki,
District North Bastar, Kanker (C.G.)

-----Non-applicant

For Applicant: Mr. P.K. Tulsyan, Advocate.
For Non-applicant/State: Mrs. Astha Shukla, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/04/2016**

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. 19/2015 registered at Police Station Tadoki, District North Bastar, Kanker (C.G.) for the offences punishable under Sections 420, 467, 468, 471, 120-B and 34 of Indian Penal Code and Sections 3(1)(iv) and 3(2)(v) of the Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

(2) Case of the prosecution, in brief, is that applicant and two co-accused persons obtained title deed of complainant Sonu Ram Markam and got loan sanctioned and purchased the tractor and found in possession of the said tractor and thereby

committed the offence.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that the applicant is languishing in jail since 14.10.2015 and similarly situated co-accused Ude Singh has already been released on bail by this Court vide order dated 11.03.2016 passed in M.Cr.C. No.1054/2016 and, therefore, the applicant may also be released on bail on the ground of parity.

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

(5) Taking into consideration the facts & circumstances of the case; role of the applicant in the offence in question; his pre trial detention and the fact that similarly situated co-accused has already been released on bail by this Court in M.Cr.C. No.1054/2016 decided on 11.03.2016; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant 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/-

