

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2212 OF 2016**

Gokul Haripal S/o Ram Nihare Haripal aged about 32 years R/o Satnami Mohalla Mova Raipur Thana Mova District Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Police Station Abhanpur District Raipur (C.G.)

---Non-applicant

For Applicant	:	Mr. Krishna Kumar Dewangan, Advocate
For Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****02/05/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 333/2015, registered at Police Station Abhanpur, District Raipur (C.G.), for the offence punishable under Sections 147, 148, 149, 452, 323, 307

of IPC and Section 25, 27 of the Arms Act.

2. Case of the prosecution, in brief, is that on 29/11/2015, applicant alongwith three other co-accused persons assaulted Satya and Sulochan by wooden stick and sword, by which they suffered grievous injury which was sufficient to cause death.

3. Learned counsel for the applicant submits that other co-accused persons have played the similar role as that of the present applicant and other co-accused persons have already granted regular bail by this Court vide order dated 17/03/2016 passed in M.Cr.C. No. 1545/2016 and the role played by the present applicant is identical to that of the other co-accused persons. Therefore, the present applicant may also be released on regular bail on the ground of parity.

4. On the other hand, learned counsel for the State submits that case of the present applicant is identical to other co-accused persons, who have granted bail by this Court vide order dated 17/03/2016 passed in M.Cr.C. No. 1545/2016.

5. I have heard the counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; nature and gravity of offence, role of the present applicant particularly the order passed by this Court on 17/03/2016 in M.Cr.C. No. 1545/2016 granting regular bail to the other accused persons, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is ordered that the applicant shall be released on bail on his furnishing a personal bond of **Rs.25,000/-** along with one surety of the like amount to the satisfaction of the trial Court. He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE