

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 980 of 2016**

- Amrit Lal Kanwar S/o Late Gopal Lal Kanwar Aged About 52 Years R/o. Village - Patadi, Police Station Uрга, District - Korba Chhattisgarh At Present R/o Near Chowpati, Sharma Niwas, Champa Police Station Champa, District - Janjgir Champa Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through : District Magistrate, District Baloda Bazar - Bhatapara Chhattisgarh

---- Respondent

For Applicant
For State

Mr. Ashok Soni, Advocate
Mr. Ashok Swarnkar, Panel Lawyer

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****25.10.2016**

1. The present Petition has been preferred under Section 482 CrPC assailing the order dated 11.08.2016 passed by the Upper Session Judge, Bhatapara in Criminal Revision No. H 28/2016 as also the order dated 24.06.2016 passed by the Judicial Magistrate, First Class, Bhatapara in Criminal Case No. S 515/2015.
2. Learned Counsel for the Applicant submits that it is the case where the present Applicant was also an accused in the same crime in which the Applicants in CrMP No. 189/2016 were implicated. The Applicant and other accused persons were prosecuted for the offence punishable under Section 409, 420, 109, 120B and 414 IPC. He further submits that pending the trial before the Court below the Applicants in Cr.M.P. No. 189/2016 had moved the application under Section 437(6) Cr.P.C. seeking for release of the Applicants on account of delay in trial. The said Cr.M.P.

was allowed on 12.07.2016.

3. Learned Counsel for the Applicant submits that the present Petition has also been filed by one of the accused person in the same case and in the same trial. The case of the Applicant is at par with the case of the Applicants in the Cr.M.P. No. 189/2016 and prays for similar order.
4. Learned State Counsel on perusal of the facts stated by the Counsel for the Applicant and also on due verification of the order dated 12.07.2016 passed in Cr.M.P. No. 189/2016 does not dispute the fact that the case of the Applicant is in parity with the Applicants in Cr.M.P. No. 189/2016.
5. In view of the same and also keeping in view the order passed by this Court on 12.07.2016 in Cr.M.P. No. 189/2016 the present Petition stands allowed in similar terms as has been passed in Cr.M.P. No. 189/2016 on 12.07.2016.
6. The Applicant herein is ordered to be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with two sureties in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.
7. The other orders and direction passed by this Court in Cr.M.P. No. 189/2016 shall also be applicable for the present Petitioner also.

Sd/-

**(P. Sam Koshy)
JUDGE**