

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No. 7682 of 2015

- Suman Gond, S/o Shri Dukhram Gond, aged about 18 years, resident of Village- Bhathali, Thana - Jarhagaon, Tahsil - Mungeli, Civil Distt- Bilaspur (CG)

---- Applicant (In Jail)

Versus

- State of Chhattisgarh, through Station House Officer, Police Station- Jarhagaon, Distt- Mungeli (CG)

---- Respondent

For Applicant : Shri Sunil Sahu, Advocate
For Respondent/State : Shri Anupam Dubey, Dy GA

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.01.2016

- 1) This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.166 of 2014, registered at PS Jarhagaon, district Mungeli (CG) for the offences punishable under Sections 307, 147, 148, 149, 294, 186, 332 and 353 of the IPC.
- 2) Case of the prosecution, in brief, is that, the present applicant along with other co-accused persons found involved in gambling on the occasion of Diwali festival, the Police made raid, arrested some people and some of them ran away from the spot. Some of them returned on the spot with deadly weapons and assaulted one constable seriously.
- 3) Learned counsel for the applicant submits that since other co-accused persons have been granted bail by this Court vide order dated 14.01.2016 in MCRC No.7654 of 2015, the

present applicant may also be enlarged on bail. He is in jail since 10.12.2015.

- 4) Per contra, learned State Counsel opposes the prayer for grant of regular bail to the applicant, however, does not dispute the fact that similarly placed co-accused persons have been enlarged on bail by this Court.
- 5) Heard learned counsel for the parties and perused the record.
- 6) Having regard to the facts and circumstances of the case, the manner in which the offence is committed, considering the gravity of the offence and the fact that the applicant is in jail since 10.12.2015 and further taking into consideration that other co-accused persons have been enlarged on bail, I am inclined to release the applicant on bail.
- 7) Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
JUDGE