

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7789 of 2015

Mordhvaj, S/o. Shivshankar, Aged About 25 Years, Caste Rathore,
R/o. Village Navagaon, Tahsil Champa, P.S. Baradwar, Distt. Janjgir-
Champa, Chhattisgarh

----Applicant

Versus

State Of Chhattisgarh, Through Police Station Baradwar, Distt. Janjgir-
Champa, Chhattisgarh

---- Respondent

For Applicant	: Mr. Deepak Kumar Singh, Advocate
For Respondent/State	: Mr. Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.01.2016

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.352/2015, registered at Police Station – Baradwar, District – Janjgir-Champa (C.G.) for the offence punishable under Section 353, 186, 332, 147, 148, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 10.11.2015, because of a road accident, the relative of the applicant died and the applicant along with others closed national highway and demanded the compensation but the police intervened and therefore, scuffle took place.
3. Learned counsel for the applicant would submit that there is no intention of the applicant and for the accident crowd had gathered and the other people among the crowd they have done the act and the applicant who lost his relative has been inculpated and the applicant is in jail since 30.11.2015. He would further submit that similarly placed

co-accused has been enlarged on bail in M.Cr.C. No. 6884/2015 vide order dated 14.12.2015, therefore, the present applicant may also be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, after verification, he do not dispute the fact that the other similarly placed co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case and the manner in which the offence is committed and considering the gravity of the offence and further taking in to the fact that similarly placed co-accused has been granted bail, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall 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 trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge