

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 635 of 2016**

Suraj Singh @ Sonu, S/o Shri Ganesh Prasad Singh, aged about 38 years, R/o Premnagar, Gurhiyari, Raipur, Tahsil & District Raipur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through Incharge Police Station- Rudri, Dhamtari, Civil & Revenue District Dhamtari (C.G.)

-----Non-applicant

For Applicant:	Mr. Anand Shukla, Advocate.
For Respondent/State:	Mr. D.R. Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/03/2016**

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. 129/2015 registered at Police Station Rudri, Dhamtari (C.G.) for the offences punishable under Sections 379 & 411 read with Section 34 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that a theft of 48 pieces of Battery was committed in the premises of Reliance Tower on 10.07.2015 and on the report being made, the matter was investigated and it is found that the applicant along with other co-accused has stolen the batteries and sold it to the other co-accused.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 4.11.2015 and similarly situated co-accused – Adil Khan has already been released on bail by coordinate Bench of this Court in M.Cr.C. No.108/2016 decided on 25.01.2016 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; particularly the fact that similarly situated co-accused has already been released on bail by the coordinate bench of this Court; further considering his detention period; 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 – **Suraj Singh @ Sonu** 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.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

