

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2399 OF 2016

Laxmikant Soni S/o Shri Harmani Prasad Soni, aged about 34 years, occupation Service at R.R. Engergy, Gadhumaria, Raigarh, R/o Chiranjeevdas Nagar, Raigarh, Tahsil and District Raigarh (C.G.) permanent R/o Village Nirtu, P.S. Koni, Civilk and Revenue District Bilaspur (C.G.)

... Applicant

Versus

State of Chhattisgarh, through Station House Officer, of Chowki JuteMill, P.S. Kotwali, District Raigarh(C.G.)

... Non-applicant

For Applicant	:	Mr. Manoj Paranjpe, Advocate.
For Non-applicant/State	:	Mr. Gary Mukhopadhyay, Dy. GA

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/06/2016

1. This is the first application filed under Section 439 of CrPC for grant of bail to Applicant, who has been arrested on 4.4.2016 in connection with Crime No.839/2015 registered at Police Station Chowki Jutemill, District Raigarh, for the offence punishable under Sections 306/34, 330/34, 342/34, 347/34 & 176/34 of IPC.
2. As per the prosecution, the present applicant along with the other co-accused persons is said to have assaulted the deceased Shubham Dwivedi @ Bipendra Tiwari on 25.10.2015 and subsequently Shubham Dwivedi is said to have committed suicide on the same day.
3. Counsel for the applicant submits that so far as the other co-accused persons namely, Sumit Kumar Pal, Satyanarayan Sharma and Gulabchand Singh Mahato are concerned, they have already been released on bail on 18.01.2016 in MCRC No.7685/2015 and MCRC No.7686/2015. He further submits that the nature of allegations levelled

against the present applicant are identical to that of the other accused persons, who have been released on bail, therefore, the present applicants may also be released on bail.

4. State counsel does not dispute this fact and submits that perusal of records show that the nature of allegations levelled against the present applicant are similar to one levelled against the other co-accused persons, who have been enlarged on bail.

5. Considering the total facts and circumstances of the present case and also keeping in view the fact that he is in jail since 04.04.2016, this Court is of the view that it is a fit case where the Applicant can be released on bail.

6. Accordingly, the application for grant of bail is allowed. It is directed that in case the Applicant furnishes a personal bond for a sum of **Rs. 20,000/- with one surety** of the like amount to the satisfaction of the concerned Trial Court then he shall be released on bail on the following further conditions:-

(i) that the Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(ii) that the Applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iii) that the Applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(P. Sam Koshy)
V. Judge