

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3155 of 2016

Viplaw Poddar, S/o. Late Badal Poddar, Aged About 24 Years (wrongly mention as 21 years), R/o. P.V. 17, Tahsil Pakhanjore, Distt. U.B. Kanker, Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh, Through Police Station Pakhanjore, Distt. Kanker, Chhattisgarh

---- Respondent

For Applicant : Mr. Parag Kotecha, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.64/2015 registered at Police Station Pakhanjore, for the offence punishable under Section 147, 148, 149, 307 of Indian Penal Code and Section 25 & 27 of Arms Act.
2. Case of the prosecution, in brief, is that the present applicant and other co-accused persons caused gun-shot injury to the victim Gorang Mandal on 11.07.2015, by which he suffered bullet injury, which was sufficient to cause death and thereby committed the offence.
3. Learned counsel for the applicant would submit that the other co-accused namely Naresh Ghosh, Jayant Vishwas & Indrajeet Mandal have been enlarged on bail by the co-ordinate Bench of this Court on 21.04.2016 in M.Cr.C. No.2101 of 2016 and the case of

the present applicant is similar to that of the other co-accused, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the case of the present applicant is similar to that of the other co-accused who have been enlarged on bail.
5. Considering the fact that the other similarly placed co-accused have been enlarged on bail by the co-ordinate Bench of this Court and the case of the present applicant is similar and further considering the pre-trial detention of the applicant, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge