

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3306 of 2016

- Ronit Meshram S/O Late Dharam Das Meshram, Aged About 22 Years R/O Ward No.11, Station Para Shitla Mandir, Gali, O.P. Chikhli, Police Station Kotwali Rajnandgaon, Distt. Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Basantpur, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. C.R. Sahu Advocate

For Respondent/State : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.07.2016

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 on 14-11-2015 in connection with Crime No. 204 of 2015 , registered at Police Station Basantpur, District Rajnandgaon (CG) for the offence punishable under Sections 307, 120 (B), 212, 34 of IPC and Sections 25 & 27 of the Arms Act.
2. As per prosecution case, the applicant along with other co-accused Sonu Thapa fired gun shot on injured Nitin Limbo with intention to kill him and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated, charge-sheet has been filed in this case, he is in jail since 14-11-2015 and no further investigation is required. He would further submit that the injured has not named the present applicant in the first information

information and he was not identified. He would further submit that similarly placed other co-accused Ghanshyam Vishwakarma who was not named in the first information report and was not identified, has been granted bail vide order dated 30-06-2016 passed by co-ordinate Bench of this Court in M.Cr.C.No. 2361 of 2016, therefore, the applicant may also be released on bail on the ground of parity.

4. *Per contra*, learned State counsel opposes the prayer for grant of bail, however, he does not dispute the fact that the case of the applicant is similar to the case of co-accused who has been granted bail by co-ordinate Bench of this Court.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicant and considering the fact that neither the applicant was named in the first information report nor was identified, charge-sheet has been filed, the applicant is in jail since 14-11-2015 and further considering 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 and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju