

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4323 of 2016

- Vipnesh Singh S/O Vishvaraj Singh Aged About 31 Years R/O Village Singhbandha, Thana Mungeli, District Mungeli, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Pandatarai, District Kabirdham, Chhattisgarh.

---- Respondent

For Applicant : Mr. Deepak Jain, Advocate

For Respondent/State : Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08-08-2016

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 24-06-2016 in connection with Crime No. 58 of 2016, registered at Police Station Pandatarai, District Kabirdham (CG) for the offence punishable under Sections 294, 332 and 342/34 of the IPC.
2. As per prosecution case, a report was made by one Deo Singh who is in job of Power Distribution Company Ltd., that he went to village Kumhe to rectify the electricity line and while the electricity line was being rectified, the applicant along with other villagers abused and assaulted the complainant, thereby he was prevented from doing his official duty.
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 24-06-2016 and no further

investigation is required. He would further submit that similarly placed other co-accused persons have been granted bail vide order dated 2-8-2016 passed by this Court in M.Cr.C.No. 4256 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 persons who have been granted bail by 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 charge-sheet has been filed, the applicant is in jail since 24-06-2016 and further considering the fact that similarly placed co-accused persons have been granted bail by this Court, 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