

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 485 of 2016**

- Manmohan Lahre, S/o. Melaram, aged about 21 years, resident of village Mudupara, P.S. Pathalgaon, Civil and Revenue District Jashpur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through : Chhattisgarh State Power Distribution Company Ltd. Kamleshwarpur, P.S. Kamleshwarpur, District Sarguja (C.G.)

---- Non-applicant

For Applicant: Mr. Vinod Kumar Tekam, Advocate.
For Respondent/State: Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/02/2016**

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. 02/2015 registered at Police Station Kamleshwarpur, Civil and Revenue District Sarguja (C.G.) for the offences punishable under Sections 379, 411/34 of the Indian Penal Code and Sections 136, 137 & 140 of the Electricity Act, 2003 and Section 3, 2(A) of the Prevention of Damage to Public Property Act, 1984.

(2) As per the prosecution case, in brief, on 13.01.2015 a

report was made that the Transformer which was in operation was disconnected and the coil inside it was stolen away by the other co-accused and subsequently on the memorandum of the co-accused, it was informed that the said coil and copper was purchased by this applicant.

(3) Learned counsel for the applicant submits that the applicant has falsely been implicated in the case as he has not committed any offence. He further submits that the other co-accused person namely Manoj Agrawal has already been granted bail by this Court in M.Cr.C. No.6669/2015 on 07.12.2015 and the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that the present case is similar to that of accused person, who has already been granted bail by the coordinate bench of this Court.

(5) I have heard learned counsel appearing for the parties and perused the case diary.

(6) Having regard to the fact that the applicant is in jail since 23.09.2015 and also the fact that the similarly placed co-accused has already been enlarged on bail by this Court in M.Cr.C. No.6669/2015 on 7.12.2015, this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(7) Accused/applicant 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.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-