

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1154 OF 2016**

Ajay Mali son of Raju Yadav aged about 29 years resident of Jagatpur Kumharpara Raigarh Tahsil Raigarh Civil and Revenue District Raigarh (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through the Station House Officer Police Station City Kotwali Raigarh District Raigarh (C.G.)

---Non-applicant

For Applicant	: Mr. Manoj Kumar Jaiswal, Advocate
For Non-applicant	: Mr. Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/03/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 287/2015, registered at Police Station City Kotwali, District Raigarh (C.G.), for the offence punishable under Sections 294, 506, 323, 394/34 of IPC.

2. Case of the prosecution, in brief, is that, on

05/04/2015 applicant alongwith other co-accused persons were assaulted the complainant by way of club and looted an amount of Rs.13,000/- from the pocket of complainant and also looted a Micromax mobile and thereby committed aforesaid offence.

3. Learned counsel for the applicant submits that other co-accused persons have played the similar role as that of the present applicant and other co-accused persons namely Ravi Jhariya and Raja @ Rajpal Bandhan have already granted regular bail by Co-ordinate Bench of this Court vide orders dated 23/11/2015 and 23/12/2015 passed in M.Cr.C. Nos. 6238/2015 and 7266/2015 and the role played by the present applicant is identical to that of the other co-accused persons. Therefore, the present applicant may also be released on regular bail on the ground of parity.

4. On the other hand, learned counsel for the State submits that case of the present applicant is identical to other co-accused persons, who have granted bail by this Court vide orders dated 23/11/2015 and 23/12/2015 passed in M.Cr.C. Nos. 6238/2015 and 7266/2015.

5. I have heard the counsel appearing for the parties

and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; nature and gravity of offence; pretrial detention of the applicant and particularly the order passed by Co-ordinate Bench of this Court on 23/11/2015 and 23/12/2015 passed in M.Cr.C. Nos. 6238/2015 and 7266/2015 granting regular bail to the other accused persons, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is ordered that the applicant shall be released on bail on his furnishing a personal bond of **Rs.25,000/-** along with one surety of the like amount to the satisfaction of the trial Court. He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge