

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1776 of 2016**

Sanjay Gaien @ Sanju Bangali Aged about 42 years, S/o Late Shri Sarad Gaien, R/o Pandari Taraie, Behind Madhu Pillae School, Devendra Nagar, P.S.-Devendra Nagar, Raipur, District-(Revenue & Civil)-Raipur (C.G)

---- Applicant**Versus**

State Of Chhattisgarh: Through Station House Officer, Police Station-Devendra Nagar, Raipur, District: Raipur(C.G.)

-----Non-applicant

For Applicant: Mr. Yogesh Pandey, Advocate.
For Non-Applicant/State:Mr. Avinash Singh, P.L.

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

(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. 129/2015 registered at Police Station Devendra Nagar, Distt. Raipur(CG.) for the offence punishable under Sections 294, 506, 323, 341, 147, 149, 306 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 04.11.2015, the applicant alongwith five other co-accused persons assaulted Rohit Singh @ Dharnidhar Pratap Singh and his brother Parikshit Singh and out of humiliation and frustration, he committed suicide by hanging.

(3) Counsel for the applicant submits that the applicant has

been falsely implicated in the offence in question as he has not committed any offence. He further submits that the applicant is in detention since 30.11.2015 and the charge-sheet has already been filed and as such the similarly situated co-accused Keshav Bhaghel has already been released on bail by this Court in M.Cr.C. No. 1185/2016 and therefore, the applicant may also be released on bail on the ground of parity.

(4) On the other hand, counsel for the State, after verifying the case diary would submit that case of the present applicant is similar to the co-accused Keshav Bhaghel who has already been enlarged on bail by this Court in M.Cr.C. No. 1185/2016 decided on 10.03.2016.

(5) Taking into consideration the facts and circumstances of the case; further considering this pre trial detention and the fact that similarly situated co-accused has already been released on bail; and the charge sheet has already been filed; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant – **Sanjay Gaien @ Sanju Bangali** 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

