

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1849 OF 2016**

Mohd. Shabbir Adwani S/o Majid Adwani aged about 34 years, residing at Mahadev Ward Kanker P.S. Kanker Revenue and Civil District North Bastar Kanker (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through the Police Station Kanker, District North Bastar Kanker (C.G.)

---Non-applicant

For Applicant	:	Mr. Pravin Kumar Tulsyan, Advocate
For Non-applicant	:	Mr. Dilmanrati Minj, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****13/04/2016**

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. 89/2014, registered at Police Station Kanker, District North Bastar Kanker (C.G.), for the offence punishable under Sections 409, 420, 120(B),

423, 467, 468, 471, 419, 204 of I.P.C. and 138 of Negotiable Instrument Act.

2. Case of the prosecution, in brief, is that from 01/04/2011 to 31/03/2014 the present applicant's firm supplied stationery items to the District Education Officer, Kanker in which certain irregularities have been detected in the audit objection.

3. Learned counsel for the applicant submits that other co-accused persons have played the similar role as that of the present applicant and they were already granted regular bail by this vide orders dated 03/02/2015, 24/02/2015, 03/03/2015, 23/03/2015 & 31/03/2015 passed in M.Cr.C. Nos. 277/2015, 346/2015, 857/2015, 1036/2015, 1298/2015 & 1353/2015 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 already been

enlarged on regular bail.

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; further taking in to consideration the nature and gravity of offence; role of the applicant and particularly the fact that other co-accused persons have already been enlarged on regular bail, 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 for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(**Sanjay K. Agrawal**)
JUDGE