

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Misc. Petition No. 1165 of 2015

Bharatlal Painkra, S/o Anjor Singh, aged about 39 years, R/o Village- Barpali, Tahsil- Kartala, Police Station- Kartala, Civil & Revenue District- Korba (C.G.)

... Applicant

Versus

State of Chhattisgarh, through District Magistrate/ Station House Officer, Police Station- Urga, District- Korba (C.G.)

... Respondent

2		
21/04/2016	Mr. Dharmesh Shrivastava, Advocate, for the Applicant. Mr. Lav Sharma, Panel Lawyer, for the State. Heard. Admit. The Applicant is in jail since 18.1.2015 in connection with Crime No. 43 of 2015 registered at Police Station, Urga, District Korba, for the offence punishable under Sections 409, 420, 467, 468/34 of IPC. Learned Counsel for the Applicant submits that the main accused, Homchand Patel, has been granted bail by the High Court invoking Section 437-6 of CrPC. Likewise, the other two co-accused persons, Khikhendra @ Sintendra Patel and Santosh Kumar, have also been granted bail by the High Court under Sections 438 and 439 of CrPC respectively. Learned Counsel for the Applicant submits that the nature of allegation against the present Applicant is also of similar nature and that he is also entitled for grant of bail on	

the ground of parity. He further submits that even otherwise the case of the Applicant is on better footings than the other accused persons who have already been granted bail and that the present Applicant has already undergone almost one year and four months custody.

Taking into consideration the total facts and circumstances of the case, particularly, taking note of the fact that the other accused persons in the present crime, namely, Homchand Patel, Khikhendra @ Sitendra Patel and Santosh Kumar, have already been released on bail, the present petition also deserves to be allowed.

Accordingly, the Criminal Misc. Petition is allowed. The impugned order dated 5.12.2015 is set aside. 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 two sureties in the like sum to the satisfaction of the concerned Trial Court, for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
JUDGE