

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2842 of 2016

1. Om Prakash Bhatt, aged about 60 years, S/o. Sundar Lal, R/o. Pendra, Tahsil Pendraroad, District-Bilaspur (C.G.)
2. Laxman Kumar, S/o. Gore Lal, aged about 30 years, R/o. Village-Matiyadand, P.S.- Kotmi (Pendra), Tahsil Pendra, District-Bilaspur (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : the Station House Officer – Chowki-Kotmi, P.S. Pendra, District – Bilaspur (Chhattisgarh)

---- Respondent

For Applicants	: Mr. Ashok Soni, Advocate
For Respondent/State	: Mr. Neeraj Sharma, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/06/2016

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 applicants who have been arrested in connection with Crime No.56/2016, registered at Chowki – Kotmi, P.S. - Pendra, District – Bilaspur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that co-accused Gulab Shankar and Ravi Shankar had obtained loan in the name of Kamal Sai and for which certain amounts were also obtained by the applicant Om

Prakash Bhatt and Laxman Kumar.

3. Learned counsel for the applicants submits that another co-accused Yougal Kishore has been granted bail by the Coordinate Bench of this Court vide order dated 10.05.2016, in M.Cr.C.No.2305/2016 and the case of the applicants are similar to that of the co-accused who has been enlarged on bail, therefore, prays that the applicants may also be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application, however, he is not able to dispute the fact that the similarly placed co-accused has been granted bail.
5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case and applying the rule of parity since the similarly placed co-accused has been enlarged on bail by the coordinate Bench of this Court in M.Cr.C.No.2305/2016 vide order dated 10.05.2016, I am inclined to release the applicants on bail
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge