

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.3381 of 2016

Ashwani Kumar, aged about 20 years, S/o Parau Lodhi R/o village Lawan, Chowki,
Lawan, Thana, Kasdol, Distt. Baloda Bazar/Bhatapara (CG).

Applicant

Versus

The State of Chhattisgarh through Police Chowki Lawan, Thana Kasdol, District
Baloda Bazar/Bhatapara (Chhattisgarh).

Respondent

For Applicant : Shri Parag Kotecha, Advocate.

For Respondent : Shri Gary Mukhopadhyay, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

On-06.06.2016

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.07/2016 registered at Police Station Kasdol, District Baloda Bazar/Bhatapara, for the offence punishable under Sections 147,148,149,452,186,307,477,332,436,336 and 353 IPC and Sections 3 & 4 of Lok Sampatti Kshati Nivaran Adhiniyam.
2. Case of the prosecution, in brief, is that the applicant along with other co-accused have been prosecuted in a case which arose because of a road accident in which a minor girl had died and thereafter a mob gathered and attacked the police station on which the said case was registered.
3. Learned counsel for the applicant submits that the applicant is in detention

since 02.01.2016. He further submits that 13 co-accused out of 26 have already been released on bail by this court in MCRC No. 2513 of 2016 and other connected matters, and therefore, the applicant may also be released on bail.

4. Learned counsel for the State does not dispute the nature of allegations levelled against the present applicant as compared to the applicants who have been released on bail.
5. I have heard the counsel appearing for the parties.
6. Without commenting on merits, considering the totality of the facts and circumstances of the case, more particularly other co-accused have already been released on bail and also considering the fact that the applicant is in detention since 02.01.2016, 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.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
V. JUDGE