

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3940 of 2016

Durgesh Soni S/o Parmeshwar Soni Aged About 19 Years R/o Ward No. 14, Lavan, Chowki Lavan, Thana Kasdol, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station Incharge, Aarakshi Kendra Kasdol, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For applicant - Shri Arvind Shrivastava, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.07/2016 registered in Police Station Kasdol, District Balodabazar Bhatapara (C.G.) for offence punishable under sections 147, 148, 149, 452, 186, 307, 477, 332, 436, 336, 333, 353, 450 of Indian Penal Code and Section 3 & 4 of the Damage to Public Property Act.
2. Case of the prosecution in brief is that on 2/01/2016 an accident happened in which a girl died near bus stand Lavan. This resulted in public outrage and it is alleged that the applicant and others which also include relatives of the girl entered into police station, pelted stones and also caused injuries to police personnel. It is also alleged that public property and public documents were also damaged.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and it is a case of false implication. It is submitted that applicant was only present at the spot and he individually did not

cause any injury to anyone but being part of the crowd, he has been included. He submits that similarly placed co-accused have been enlarged on bail by the coordinate bench of this court in M.Cr.C. Nos. 2513, 2521, 2522, 2532 and 2953 of 2016 on 1/06/2016, therefore the applicant may be released on bail.

4. Learned State counsel however do not dispute the fact that similarly placed co-accused have been enlarged on bail by the coordinate bench of this court in M.Cr.C. Nos. 2513, 2521, 2522, 2532 and 2953 of 2016 on 1/06/2016.

5. Considering the facts and circumstances of the case and also for the fact that similarly placed co-accused have been enlarged on bail by the coordinate bench of this court in M.Cr.C. Nos. 2513, 2521, 2522, 2532 and 2953 of 2016 on 1/06/2016, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE