

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4963 of 2016

- Dharam Singh Korche S/o Late Chainuram Korche Aged About 38 Years (Wrongly Mention as Rainuram) By Caste Gond, R/o Village Haafarra, Thana Korar, District U.B. Kanker, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh Through Police Station Korar, District Kanker, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Parag Kotecha, Advocate
For the Respondent	:	Mrs. Shobha Kashyap, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 33/2015 registered at P.S. Korar Distt. Kanker (C.G) for the offence punishable under Sections 147, 148, 149, 506-B, 427, 435, 121, 121-A, 212 & 120-B of IPC and Sections 25 & 27 of the Arms Act as also Section 8(2)(3) of the C.G. Jan Surksha Adhiniyam.
2. As per the prosecution case, the present applicant along-with other co-accused is said to have attacked on the premises of M/s.Parv Bulcon Construction Company operating in village Bhanupratappur, Distt. Kanker, causing damages to the vehicles and other machineries of the said construction Company. According to the mines manager's complaint, there were 15 persons, 5 males and the rest females, who had attacked the premises of the company on 12.04.2015. An FIR has been lodged against unknown persons.

Consequently, the police personnel have made 42 persons as accused.

3. Learned counsel for the applicant would submit that similarly placed person has been enlarged on bail by the coordinate Bench of this Court in M.Cr.C.No. 2707/2016 on 09.06.2016 and the case of the present applicant is almost same, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that similarly placed co-accused has been enlarged on bail by the coordinate Bench of this Court.
5. Considering the fact that similarly placed co-accused has been enlarged on bail by the coordinate Bench of this Court, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE