

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5403 of 2016

1. Krishna Kumar Gond, S/o. Ramkumar Gond, aged about 25 years,
2. Gopal Singh, S/o. Ramlal Singh, aged about 30 years,
Both R/o. Village- Pasla, Post Office & Police Station – Patna, District – Koriya (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station – Khadgawan, District – Koriya (C.G.)

---- Respondent

For Applicants	: Mr. Shivendu Pandya, Advocate
For Respondent/State	: Ms. Shobha Kashyap, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/09/2016

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.32/2016, registered at Police Station – Khadgawan, District – Koriya (C.G.) for the offence punishable under Section 420/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that in between 09.02.2016 to 11.02.2016, the applicants along with other co-accused at village-Chirmri were vaccinating for Hepatitis-B and were charging Rs.50/- from the villagers without permission of the Health Department.
3. Learned counsel for the applicants submits that the applicant has been falsely implicated in this case. It is further submitted that

similarly placed co-accused in this case has been enlarged on bail by this Court vide order dated 17.08.2016, in M.Cr.C.No.4498/2016, therefore, the counsel 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, she is not able to dispute the fact that similarly placed co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case and further considering the fact that similarly placed co-accused in this case has been enlarged on bail by this Court vide order dated 17.08.2016, in M.Cr.C.No.4498/2016, this Court is of the opinion that present is a fit case, in which, the applicants 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 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