

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5455 of 2016

- Shashikant Rai S/o Awdhesh Rai Aged About 43 Years R/o -
Ganeshnagar, Risali Bhilai, P.S. - Nevai, Tehsil, Civil & Revenue
District - Durg Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh through, District Magistrate, Durg, Distt. Durg
Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Jaydeep Singh Yadav, Advocate
For the Respondent	:	Mr. Neeraj Sharma, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.09.2016

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. 247 of 2015 registered at P.S. Nevai, Distt. Durg (C.G) for the offence punishable under Sections 186, 353, 332, 333, 294, 506-B, 147, 114 & 149 of IPC.
2. As per the prosecution case, on 05.10.15, an FIR was registered against one Akhilesh Yadav and others that they entered in front of Police Station and manhandled the Sub-Inspector who opposed the altercation entered into between the two groups.
3. Learned counsel for the applicant would submit that total 18 accused have been arrayed in the crime and the applicant has been falsely implicated though he was standing only as spectator to the incident. It is also submitted that similarly placed person namely Ram Singh @ Sonu against whom same allegations have been made has been enlarged on bail by this Court in M.Cr.C.No. 6664 of 2015 on 07.12.2015. He

further submits that the charge sheet has been filed and the offence is triable by the JMFC and considering the detention of the applicant, 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 released on bail by this Court.
5. Perused the case diary and other documents.
6. Considering the fact that similarly placed accused Ram Singh @ Sonu has been enlarged on bail by this Court as also the fact that the charge sheet has been filed and no further investigation is necessary, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and present the applicant Shashikant Rai 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**