

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 7753 of 2017**

Lucky @ Shubham Sharma S/o Rajesh Kumar Sharma, aged about 24 years, R/o Ganjpara, Naka Chowk, Shriram Riksha Chowk, Durg, Tahsil and District Durg, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh through Station House Officer, Police Station Pulgaon, District Durg, Chhattisgarh

---- Respondent

For Applicant : Shri Raghvendra Pradhan along with Shri D. S. Rajput, Advocate
 For Respondent/State: Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****13/12/2017**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who has been arrested in connection with Crime No. 25/2017 registered at Police Station Pulgaon, District Durg (CG) for the offence punishable under Sections 302, 307, 323, 212, 147, 148, 149/34 of IPC and 25 & 27 of Arms Act.

2. Counsel for the applicant submits that the two co-accused namely Raunak Dubey and Saurabh Pandiya against whom similar charges were levelled have already been released on bail by the co-ordinate Bench of this Court in MCRC Nos. 5103/17 and 3714/17 vide order dated 22.11.2017. Counsel for the applicant submits that so far as the present applicant is concerned, the only allegation against him is that of being part of the group which had assaulted the deceased and the complainant and there is no overtact whatsoever attributed against the applicant. He prayed

that on the ground of parity also the present applicant deserves to be released on bail.

3. State counsel, however, opposes the bail application on the ground that the present applicant was also part of the same group which had assaulted the deceased and others, therefore, he does not deserve to be released on bail.

4. Having considered the contentions put forth on either side and on perusal of the record what is apparent is that the two co-accused namely Raunak Dubey and Saurabh Pandiya against whom similar allegations were made have already been granted bail by the co-ordinate Bench, this Court is of the opinion that the present applicant also deserves to be released on bail.

5. Accordingly, the application for grant of bail is allowed. It is directed that the present Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
JUDGE