

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 3962 OF 2017**

Kamal alias Pintu S/o Late Dhan Singh Verma aged about (not mentioned) R/o village Joratarai Police Station Chhuikhadan District Rajnandgaon (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through the Police Station Khairagarh, District Rajnandgaon (C.G.)

---- Non-applicant

For Applicant : Mr. S.S. Baghel, Advocate

For Non-applicant : Mr. Shashank Thakur, G.A.

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

14/06/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.44/2017 registered at Police Station- Khairagarh, District Rajnandgaon (C.G.), for the offence punishable under Sections 341, 147, 149, 294, 323, 506, 435, 394, 427 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Manoj Yadav that on 12.02.2017 while he was going to unload the Murum for construction of the road, the present applicant along with others stopped and he boarded on his vehicle and thereafter, the other people came in the motor cycle and stopped the vehicle on the accusation that the company, for which, the vehicle was employed has caused the accident. Subsequently, at the same time, another vehicle which was coming from the opposite side

was also stopped and was set on fire. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that other co-accused persons have already been enlarged on regular bail vide order dated 12.6.2017 in MCRC Nos.1920 of 2017 and 1975 of 2017, therefore, the present applicant may also be enlarged on regular bail on the ground of parity.
4. The learned counsel for the State do not dispute the fact that the other co-accused persons have already been enlarged on regular bail vide order dated 12.6.2017 in MCRC Nos.1920 of 2017 and 1975 of 2017.
5. Perused the case diary and the documents. Taking into consideration the fact that the applicant is in jail since 18.2.2017 and other co-accused persons namely, Nagendra Pal @ Raju, Bhupendra Pal @ Golu, Dharmendra @ Gabbu Pal and Devi Singh, have already been enlarged on regular bail vide order dated 12.6.2017 in MCRC Nos.1920 of 2017 and 1975 of 2017, I am inclined to release the present applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per Rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge