

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8380 of 2016

- Pintu Sahni S/o Kanhaiya Lal Sahni Aged About 24 Years R/o Near Balak Nath Mandir, Khursipar, Bhilai, Police Station Khursipar, District Durg, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Purani Bhilai (Wrongly Mentioned As Khursipar & Bhilai 3) District Durg, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. B.P. Singh, Advocate

For Respondent/State : Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02-01-2017

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 on 12-9-2016 in connection with Crime No. 539 of 2014, registered at Police Station Purani Bhilai, District Durg (CG) for the offence punishable under Section 393/34 of the IPC.
2. As per prosecution case, on 26-12-2014 a report was lodged by complainant Pramod Sharma that he was serving as Field Officer in Pilaniya Industries and on the date of incident i.e., 26-12-2014 at about 7 pm., after collection of the amount he was going back to Durg from Raipur to deposit the money in the company and on the way near Kumharan the applicant along with another accused tried to snatch the bag but they could not do so and fled away but it was done at the instance of Santosh Sharma who abetted the crime.
3. Learned counsel appearing for the applicant would submit that the applicant has not been identified, only on the false false allegations, the applicant has been arrested. He would further submit that

charge-sheet has been filed, the applicant is in jail since 12-9-2016 and no further investigation is necessary. He would further submit that the case of the present applicant is similar to that of other co-accused Santosh Sharma, who has been granted bail vide order dated 28-11-2016 passed by this Court in M.Cr.C.No. 7486 of 2016, therefore, the applicant may also be released on bail on the ground of parity.

4. *Per contra*, learned State counsel opposes the prayer for grant of bail, however, he does not dispute the fact that the case of the applicant is similar to that of other co-accused who has been granted bail by this Court.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicant and considering the fact that charge-sheet has been filed, the applicant is in jail since 12-9-2016 and further considering the fact that similarly placed other co-accused has been granted bail, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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 as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

