

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 775 of 2018

Devcharan S/o Chandram Bareth, aged about 29 years, permanent R/o Village- Lavsara, Police Station- Baradwar, Tahsil Sakti, District- Janjgir-Champa (C.G.).

---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, police Station- Dabhra, Civil and Revenue District- Janjgir-Champa (C.G.).

---- Respondent

For Applicant	:	Mr. B.M. Roy, Advocate
For Respondent	:	Mr. UKS Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

26/03/2018

1. Heard.
2. The applicant has preferred this application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 109/2017, registered at Police Station- Dabhra (C.G.) for the offence punishable under Sections 420, 419, 109 of IPC and 3(घ) of the Chhattisgarh Manyata Prapta Parksha Adhiniyam, 1937.
3. It is alleged that the applicant was giving open exam of the 12th class in place of another accused- Pushpendra. On this basis, the police has registered the above offences and arrested the applicant.
4. Learned counsel appearing on behalf of the applicant submits that co-accused- Pushpendra has already been granted bail by this Court vide

order dated 05/01/2018 passed in M.Cr.C No. 3959/2017 and on the basis of parity, the applicant may also be released on bail as he has been falsely implicated in the present case. He further submits that the case is triable by JMFC and the applicant is in custody since last one year.

5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned counsel for both the parties.
7. Considering the facts and circumstances of the case, particularly considering that co-accused has already been granted bail; the applicant is in custody since last one year and the trial will likely to take some time to conclude, without further commenting on merit of the case, this court is inclined to release the applicant on bail.
8. Accordingly, MCRC. No.775/2018 is allowed. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

**Sd/-
Judge
Arvind Singh Chandel**