

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 1031 /2017

Ankur Gorakh, S/o. Shri Shambhu Nath Gorakh, Aged About 23 Years,
Occupation Business, R/o. Gujrati Gali, Darogapara, P.S. City Kotwali,
District Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station City
Kotwali, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Smt. Hamida Siddiqui, Advocate.
For Respondent : Mr. S.K.Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09.02.2018

1. Apprehending arrest in connection with Crime No.338/2016 registered at Police Station- City Kotwali, Raigarh, District Raigarh (C.G.) for the offence punishable under Sections 294, 506, 323, 147, 148, 149 & 327 Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, the present applicant along-with one Sachin Mishra and others said to have entered into quarrel with the complainant and assaulted him in the Raigarh Railway Station causing injury in the vehicle stand.
3. Learned counsel for the applicant submits that one of the co-accused Sachin Mishra has already been enlarged on bail by the co-ordinate Bench of this Court in M.Cr.C.(A) No.1340 of 2016 on 18.05.2017 and the case of the present applicant is similar to that of the person who has been enlarged on bail; therefore, the present applicant may also be enlarged on anticipatory bail.

4. Learned State counsel do not dispute the fact that the case of the present applicant is similar to that of the other co-accused Sachin Mishra who has already been enlarged on bail.
5. Considering the fact that the similarly placed co-accused has already been enlarged on anticipatory bail by the co-ordinate Bench of this Court on 18.05.2017 in M.Cr.C.(A) No.1340 of 2016, applying the principle of parity, I am inclined to grant the benefit of anticipatory bail to the present applicant.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on furnishing a personal bond to a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.