

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1098 of 2018

Kapildev Vare S/o Poshram Vara Aged About 24 Years R/o Village Singhanpur, Police Station Kosir, Tahsil Sarangarh, District Raigarh, Chhattisgarh
---- **Applicant**

Versus

State of Chhattisgarh through Station House Officer, Police House Officer, Police Station Urga, District, Korba, Chhattisgarh---
Respondent

For the applicant	:	Mr. Dharmesh Shrivastava Advocate.
For the State	:	Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.02.2018

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 356/2015 registered at Police Station- Urga, District- Korba (C.G) for the offences punishable under Sections 420, 467, 468, 471, 120-B, 201, 34 of IPC.
2. The first bail application was dismissed on 16.01.2018 as withdrawn.
3. As per the prosecution case, the present applicant along with other accused Vinod Kumar Khande has obtained certain amounts from Mahendra Kumar Madhukar and Santosh Khare and thereafter gave them false appointment letters thereby the offence is committed.
4. Learned counsel for the applicant submits that four witnesses have been examined and they have not supported the case of prosecution and one of the accused Rajesh

Jangde who was in jail since 19.12.2015 has been enlarged on bail by the trial court on 18.04.2017 and the case of the present applicant is similar to that of co-accused Rajesh Jangde. He further submits that considering the period of detention of the present petitioner who is in jail since 12.12.2015 and being in parity with the case of co-accused , the present applicant may be enlarged on bail.

5. Per contra, learned State Counsel opposes the bail application. However, he does not dispute the fact that the co-accused Rajesh Jangde has been enlarged on bail by trial court.
6. Perused the bail order of co-accused Rajesh Jangde wherein looking to the period of his custody as he was in jail since 19.12.2015 the learned trial Court granted him bail. Considering the same and taking into the fact that the present applicant is also in jail since 12.12.2015 and being in parity with the case of co-accused Rajesh Jangde, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in 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.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE