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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1038 of 2018**

Vinod Kumar Khande S/o Parasram Khande Aged About 27 Years R/o Parsabhatha, Village Tarda, P.S. Urga, Tehsil Kartala District Korba Chhattisgarh, District : Korba, Chhattisgarh.

---- Applicant**Versus**

State Of Chattisgarh Through The Station House Officer, Out Post Rampur, P.S. District Kotwali, Korba District Korba Chhattisgarh, District : Korba, Chhattisgarh.

---- Respondent

For the Applicant : Shri Shailendra Dubey, Advocate.
For the Respondent/State : Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.04.2018**

Heard.

1. This is the second bail application of the applicant. The first bail application has been dismissed on merits. The applicant has been arrested in connection with Crime No.546 of 2015, registered at Outpost Rampur, Police Station – Kotwali, District – Korba, Chhattisgarh for the offence punishable under Sections 420, 467, 468, 471 and 120-B/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 12.12.2015, which is more than 2 years 3 months in custody and still the trial against him has not been concluded. Similarly placed co-accused persons – Kapildev Vare and Vijay Kumar Shriwas have been granted bail by the Co-ordinate Bench of this Court. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. The first bail application of the applicant has been dismissed on merits. Subsequent to that, looking to the fact that no development has taken place in the trial of the case against this applicant and similarly placed co-accused persons have been granted regular bail by the Co-ordinate Bench of this Court on ground of delay in trial, hence, on the ground of parity, this application is allowed.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge