

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2043 of 2018**

Jaiprakash Banjare, S/o. Late Dhani Ram Banjare, Aged About 39 Years,
R/o.- Village- Khapradih, Police Station- Navagarh, District- Janjgir-Champa,
Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station-
Kotwali, Korba, District- Korba, Chhattisgarh.

---- Respondent

AND**M.CR.C. No. 2601 of 2018**

Rajesh Jangde, S/o. Arun Jangde, Aged About 32 Years, R/o. Ringani, Police
Station -Shivrinarayan, District -Janjgir Champa, Chhattisgarh. Present
Address R/o. Gudhiyari, Police Station Gudhiyari, District Raipur
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : District Magistrate, Korba, District- Korba
Chhattisgarh.

---- Respondent

For Applicants	: Mr. Dharmesh Shrivastava, Advocate
For State/respondent	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****19/04/2018**

- Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and the incident.

2. These are the second bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.546/2015, registered at Police Station – Kotwali – Korba, Out Post - Rampur, District – Korba (C.G.), for the offence punishable under Section 420, 467, 468, 471, 120-B, 201 of the Indian Penal Code. The first bail applications of the applicants are dismissed on merits vide order dated 08.11.2017.
3. It is submitted by the learned counsel for the applicants that some of the co-accused persons namely Prakash Kumar Anant, Dr. Mohan Kumar Koshle and Kapildev Vare have been granted bail by the Coordinate Bench of this Court and on the ground of parity, co-accused Vinod Kumar Khande and Vijay Kumar Shrivastava have been granted bail by this Court on their second bail applications. Hence, both the applicants are also placed similarly, therefore, it is prayed that they may also be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail applications and the submission made in this respect. It is submitted that first bail applications of both the applicants have been dismissed on merits, hence, they are not entitled for grant of bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As the similarly placed co-accused persons have been granted bail by this Court and by the Coordinate Bench of this Court and the trial against the applicants is still pending before the trial Court, hence, for this reason, this Court is of the opinion that present is a fit case, in

which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.
8. It is directed that applicants shall be released on bail on their 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 their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram