

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2292 of 2018

- Yogesh Thakur S/o Shri Budharu Ram Thakur Aged About 25 Years R/o- Village Bhothidih, Police Station Simga, Tahsil Simga, District Baloda Bazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Dharsiwa, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

MCRC No. 3447 of 2018

- Omkar Pandey S/o Shri Ramesh Kumar Pandey Aged About 29 Years R/o- Udhapurwa, Police Station And Tahsil- Manuganj, District- Rewa (M.P.) Presently Residing At Kailash Nagar, Birgaon, Police Station Urla, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through- Police Station Dharsiva, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicants	:	Shri Vimlesh Bajpai and Shri Anil Gulati, Advocates
For State	:	Shri Manish Nigam, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/05/2018

The applicants have been arrested in connection with Crime No.466/2017 registered in Police Station – Dharsiva, District – Raipur (C.G.) for alleged commission of offences under Sections 381, 411, 201 of IPC.

2. The sole contention of the counsel for the applicants is that the co-accused

against whom the allegation of theft has been made has already been released on bail by the co-ordinate Bench of this Court vide order dated 22.02.2018 passed in MCRC No. 7813 of 2017. He submits that the offence which is alleged against the present applicants is under Section 411 of IPC for which the maximum sentence is three years. Thus, prays for grant of bail to the applicants also on the ground of parity.

3. State counsel, however, opposes the bail application.

4. Having heard the contentions put forth on either side and taking note of the fact that the co-accused against whom the allegation of theft has been made has already been released on bail, this Court is of the opinion that on the ground of parity and also considering the period of custody undergone, the present applicants also deserve to be released on bail.

5. Accordingly, both the applications are allowed. It is directed that the applicants shall be released on bail on each of them 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 before the said Court as and when directed with following further conditions:

- (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge