

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 878 /2018

1. Ful Singh Sinha, S/o. Makhan Sinha, Aged About 45 Years, Caste Kalar
 2. Dishok Kumar Jangade, S/o. Bua Ram Jangade, Aged About 40 Years, Caste Satnami
 3. Om Prakash Sonkar, S/o. Shyam Lal Sonkar, Aged About 43 Years.
 4. Gajendra Kosma, S/o. Lochan Kosma, Aged About 35 Years, Caste Halba
 5. Kunjan Sahu, S/o. Domal Lal Sahu, Aged About 24 Years, Caste Teli
 6. Lokesh Yadav, S/o. Rup Ram Yadav, Aged About 30 Years
- All R/o. Village- Parsuli, Police Station Devri, Distict- Balod, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through- The Station House Officer, Police Station Devri, District- Balod, Chhattisgarh.

---- Respondent

For Applicants	:	Smt. Hamida Siddiqui, Advocate.
For Respondent	:	Shri Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04.09.2018

1. Apprehending arrest in connection with Crime No.15/2018 of registered at Police Station Devri, District Balod (C.G) for the offences punishable under Sections 147, 148, 186, 353 & 332 of Indian Penal Code, the applicants have filed this application under Section 438 of the Code of Criminal Procedure.
2. As per the prosecution case, an accident took place wherein one person died which resulted into provocation of villagers. It is alleged that the present applicants who were part of the violent mob have also attacked the police officer Anant Soni by pelting stones thereby he sustained injury.
3. Learned counsel for the applicants would submit that the similarly placed co-accused have already been enlarged on anticipatory bail by this Court on 02.07.2018 in MCRC(A) No.642 of 2018 and the

case of the present applicants are similar; therefore, they may also be given the benefit of anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail, however, he do not dispute the fact that the similarly placed co-accused have already been enlarged on anticipatory bail.
5. Perused case diary and the documents filed along with the anticipatory bail application. Considering the fact that the similarly placed co-accused have already been enlarged on anticipatory bail by this Court on 02.07.2018 in M.Cr.C.(A) No.642 of 2018, applying the principle of parity, I am inclined to grant the benefit of anticipatory bail to the present applicants.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on furnishing a personal bond to a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned investigating officer. The applicants shall also abide by the following conditions :
 - (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;
 - (ii) that the applicants 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 applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.