

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5370 of 2018**

Imran Khan @ Sonu, S/o Late Hidayat Ullah, Aged about 23 years, R/o Near Takshila School, Ghru Road, Police Station -Sirgitti, Tahsil & District – Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through officer in charge, Police Station – Kota Bilaspur, Tahsil &- Kota, District – Bilaspur (C.G.)

----Non-applicant

For Applicant	:	Mr. Badruddin Khan, Advocate.
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

13/08/2018

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 384/2017 registered at Police Station Kota, Bilaspur (C.G.) for the offence punishable under Section 393 read with Section 34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that complainant Ganesh Chandra was looted by the applicant along with some other persons by throwing chilly power in his eyes and cash of Rs.1,60,000/-, one mobile and one tablet were looted from his possession and thereby committed the aforesaid offence.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He would further submit that similarly situated co-accused person namely Rahul Yadav has already

been granted bail by the coordinate Bench of this Court vide order dated 23.07.2018 in M.Cr.C. No. 2948 of 2018, and the applicant is in jail since 24.11.2017 and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State submits that Rs. 5,000/- has been recovered from the possession of the applicant

(5) Taking into consideration the facts & circumstances of the case and particularly the fact that similarly situated co-accused has already been granted bail by this Court vide order dated 23.07.2018 passed in M.Cr.C. No. 2948 of 2018 and applicant is in jail since 24.11.2017; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

