

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 5442 of 2018**

Prabhunath Singh, S/o Bhagwan Singh, aged about 38 years, R/o Village Mauhari,  
Maroda, P.S. Newai, tehsil and District Durg, Chhattisgarh

---- Applicant

**Versus**

State of Chhattisgarh, through Collector, Durg, District Durg (C.G.)

----Non-applicant

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| For Applicant     | : | Mr. Shikhar Bakhtiyar, Advocate. |
| For Non-applicant | : | Mr. Avinash Singh, Panel Lawyer. |

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**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order On Board**

**20/08/2018**

(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. 326/2017 registered at Police Station Bhilai Nagar, District Durg (C.G.) for the offence punishable under Sections 420, 380, 120B read with Section 34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is applicant and other co-accused persons are said to have defrauded complainant- Dilip Kumar Sori to the tune of Rs.6,00,000/- and thereby committed the aforesaid offences.

(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 Sadaram Ratre & Tejram Sen have already been granted bail by this Court vide orders dated 22.03.2018 &

30.11.2017 passed in M.Cr.C. No. 382/2018 & 6325 of 2017, respectively, and the applicant is in jail since 14.07.2018 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 opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case and particularly the fact that similarly situated co-accused persons have already been granted bail by this Court vide orders dated 22.03.2018 & 30.11.2017 passed in M.Cr.C. No. 382/2018 & 6325 of 2017, respectively; 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/-

