

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 685 of 2019**

- Sumit Singh Markam S/o Lakheshwar Singh Aged About 18 Years R/o Darogamuda, Bypass Road Raigarh, District Raigarh Chhattisgarh

**---- Applicant****Versus**

- State of Chhattisgarh Through The District Magistrate, Raigarh District Raigarh Chhattisgarh

**---- Respondent**

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For Applicant : Shri Badruddin Khan, Advocate

For Respondent/State : Shri R.K. Bhagat, Dy. GA for the State

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**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****08/02/2019**

1. This is the Second Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 04.11.2016 in connection with Crime No.256/2016 registered at Police Station Tamnar, District - Raigarh (CG) for the offence punishable under Sections 394, 34 and 120 (B) IPC.
2. First Bail Application bearing M.Cr.C. No.1632 of 2017 was dismissed as withdrawn on 24.03.2017 with liberty to repeat after examination of the complainant.
3. As per the prosecution case, the present applicant along with the other co-accused persons on 03.11.2016 has looted Rs.2,46,000/- from the complainant namely Rakesh Kumar. Thereby the offence has been committed.

4. Learned counsel for the applicant submits that the other co-accused Khemsagar Bhatt @ Lalla has been granted bail by this Court on 10.12.2018 vide M.Cr.C. No.6907 of 2018 & Mayank Yadav has also granted bail on 14.01.2019 vide M.Cr.C. No.332 of 2019 and the case of the present applicant is similar to that of the co-accused Khemsagar & Mayank Yadav and the applicant is in jail since 04.11.2016, therefore, he may also be released on bail.
5. State is not able to dispute the fact that the similarly placed co-accused has been granted bail by this Court.
6. Considering the fact that the co-accused has been granted bail and also taking into that the applicant is in jail since 04.11.2016, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in 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 by the said Court.

Sd /-

Goutam Bhaduri  
Judge

Ashu