

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7556 of 2018**

1. Lala Ram Banjare S/o Late Pardeshi Ram Banjare Aged About 45 Years R/o Village- Raveli, Police Station Abhanpur, Raipur, Tahsil And District- Raipur, Chhattisgarh.

---- Applicant**Versus**

1. The State of Chhattisgarh Through Police Station-Kotwali, Raipur, Chhattisgarh.

---- Respondent

For Applicant

Shri L.K. Mishra, Advocate

For Respondent/State

Shri Sanjay Agrawal, Govt. Advocate

Order On Board**By****Prashant Kumar Mishra, J.****05/02/2019**

1. Heard.
2. The applicant has preferred this application filed under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.109/2012 registered in Police Station Kotwali, Raipur (CG) for the offence punishable under Sections 302, 307, 120 (B), 34 of the Indian Penal Code.
3. Applicant along with co-accused Jaiprakash Gupta @ Prem Raghuni, Uttam Kumar Chandravanshi, Pankaj Kumar

Sharma, Shashi Bushan Sao and Ravi Verma have been charge sheeted for offence under Sections 302, 307, 120-B, 34 for hatching conspiracy and committing murder of Dilip Adwani (since deceased) sometimes in the year 2012.

4. There is no dispute that the applicant is in detention since 22-5-2012 and has undergone the entire trial till the stage of recording of accused statement when additional charge sheet came to be filed against all the accused persons.
5. The present is the first bail application by the applicant. It has been posted before this Court for the reason that this Court had earlier dealt with and dismissed the bail application of co-accused Jaiprakash Gupta @ Prem Raghuni on 13-7-2018 passed in M.Cr.C.No.3716 of 2018.
6. By an order passed on 5-12-2018 in Special Leave to Appeal (Cri.) No(s).7215 of 2018 the Supreme Court has allowed the bail to the said Jaiprakash Gupta @ Prem Raghuni with the following observation :

“The petitioner has been in custody for more than six years and we are little surprised that a supplementary charge-sheet was filed at the stage of recording the statement of the accused under Section 313 of the Criminal Procedure Code.

Considering all these facts, we are of the view that the petitioner should be granted bail on such terms and conditions as may be imposed by the Trial Court. It is ordered accordingly.”

7. The ground on which bail has been allowed by the Supreme Court in favour of Jaiprakash Gupta @ Prem Raghuni would apply to the present applicant also. Thus, considering all

aspects of the matter, this Court is inclined to release him on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a **personal bond for a sum of Rs.50,000/- with two local sureties for the like amount 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/-

Judge

Prashant Kumar Mishra

Gowri