

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 106 of 2020**

Dinesh Dewangan, son of Bajaru Dewangan, aged about 22 years, R/o. Village Pirda, Police Station Basna, Tahsil Pithora, District Mahasamund (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : The Station House Officer, Police Station Sankara, District Mahasamund (C.G.)

----Respondent

For Applicant	: Mr. Raghvendra Pradhan, Advocate.
For Non-applicant/State	: Mr. Anil Tripathi, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****13/02/2020**

(1) The accused/applicant has preferred 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. 151/2019 registered at police Station Sankara, District Mahasamund for the offence punishable under Sections 392, 341 read with Section 34 of the Indian Penal Code.

(2) Case of the prosecution in brief is that a report was lodged by the complainant alleging that when he was going along with two others in his motorcycle, near the village square, applicant and two other co-accused persons stopped them on the way and looted the motorcycle and thereby committed the aforesaid offence.

(3) Learned counsel for the applicant would submit that applicant has been falsely implicated in the crime in question as there is no evidence on record to connect the applicant with the crime in question. He submits that applicant is languishing in jail since

19.08.2019; charge sheet has already been filed and similarly situated co-accused namely Shishupal Pradhan has already been granted bail by this Court by order dated 18.11.2019 in M.Cr.C. No. 6051 of 2019 and, therefore, the applicant is entitled to be released on bail on the ground of parity.

(4) On the other hand, counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(6) Taking into consideration the facts & circumstances of the case, further considering the fact the applicant is in detention since 19.08.2019; charge sheet has already been filed; and the similarly situated co-accused – Shishupal Pradhan has already been granted bail by this Court vide order dated 18.11.2019 passed in M.Cr.C. No. 6051 of 2019 this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(7) 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/-
(Rajani Dubey)
Judge

D/-

