

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.754 of 2020**

Dinesh Singh, son of Shiv Shankar Singh, aged about 30 years, Resident of Village Tyuniganj, Nova Panchayat, P.S. Krishna Badav, District Baskar (Bihar).

---- Applicant**Versus**

State of Chhattisgarh, through Station House officer, Police Station Farasgaon, District Kondagaon (CG).

---- Non-applicant

For Applicant	: Mr. Ashutosh Shukla, Advocate.
For Non-applicant/State	: Mr. D.C. Verma, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.10.2020

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.04/2019 registered in Police Station Farasgaon, District Kondagaon for the offence punishable under Section 20(B) of N.D.P.S. Act.
3. The first bail application of the applicant was dismissed for want of prosecution by this Court vide order dated 27.09.2019 passed in M.Cr.C. No.4434/2019.
4. Case of the prosecution, in brief is that on 14.01.2019 at about 16:30 hrs near Chichadi culvert Farasgaon, A.S.I. Vishwajeet Meshram posted at police station Farasgaon seized one Bolero Pickup vehicle bearing Registration No.AP07Y5544 containing 45.670 kgs cannabis from the applicant and co-accused Vinay Kumar Singh.
5. Counsel for the applicant submitted that co-accused Vinay Kumar Singh bailed out by the co-ordinate Bench of this Court on 20.03.2020 passed in M.Cr.C. No.962/2020. The case of the applicant is identical to

the case of the said co-accused, hence according to the principle of parity he is also entitled for grant of bail.

6. Counsel for the State opposed the bail application.

7. As per certified copy of the bail order dated 20.03.2020 passed in M.Cr.C. No.962/2020, which is the part of the bail application, the co-ordinate Bench of this Court bailed out co-accused Vinay Kumar Singh. The case of the applicant is identical and not more severe than the case of the said co-accused Vinay Kumar Singh. Hence as per the principle of parity, the applicant is also entitled for grant of bail. Accordingly, the bail application is allowed.

8. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.50,000/- along with a personal bond in the sum of Rs.1,00,000/- to the satisfaction of the concerned Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail and he shall not involve any such type of crime in future.

9. Certified copy as per rules.

SD/-

(Sharad Kumar Gupta)
JUDGE

L/-