

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1395 of 2020

Rakesh Pradhan, S/o. Kedar Pradhan, Aged About 22 Years, R/o. Village Pirda, Police Station Basna, Tahsil Pithora, District Mahasamund Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station Sankara, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant : Mr. Raghavendra Pradhan, Advocate

For Respondent : Mr. Ayaz Naved, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

ORDER

13.05.2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.151/2019 registered at Police Station- Sankara, District Mahasamund (C.G.) for the offence punishable under Section 392, 341, 34 of Indian Penal Code.
2. As per the prosecution case, the applicant along with other co-accused stopped the motorcycle of the complainant and assaulted them and looted the motorcycle.
3. Learned counsel for the applicant would submit that the applicant is in jail since 19.08.2019 and as per the affidavit the other co-accused have been enlarged on bail in MCRC No.6051 of 2019 & MCRC No.106 of 2020 and the case of the present applicant is similar to that case, therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the other co-accused have already been enlarged on bail.
5. Considering the fact that the applicant is in jail since 19.08.2019 and the other similarly placed co-accused have already been enlarged on bail, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge