

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3747 of 2020**

1. Rupesh Sagar Son Of Chhondas Aged About 20 Years R/o Village Sarangarh, Thana Sarangarh, District Raigarh Chhattisgarh.
2. Parmeshwar Sidar Son Of Makhan Aged About 20 Years R/o Village Gatadih, Thana Sarangarh, District Raigarh Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station - Saraipali, District - Mahasamund Chhattisgarh.

---- Respondent

For the Applicants : Shri Vikash Pandey, Advocate.
 For the Respondent/State : Shri Ravish Verma, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****03.07.2020**

Heard.

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants. The first bail application of the applicants was dismissed as withdrawn on 10.7.2019 in M.Cr.C. No. 2912 of 2019. The applicants have been arrested in connection with Crime No.9 of 2019 (wrongly mentioned as 46 of 2019), registered at Police Station – Saraipali, District – Mahasamund, Chhattisgarh for the offence punishable under Section 307/ 34, 120B and 511 of the Indian Penal Code and Sections 25 and 27 of the Arms Act.

2. Learned counsel for the applicants submits that the applicants are in jail since 7.1.2019 and have been falsely implicated in this case. Similarly

placed co-accused person, namely, Rakesh Banchhor, who happens to be the main accused, has been granted bail by this Court in M.Cr.C. No.2992 of 2020 vide order dated 3.6.2020. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. As per the case, it is alleged that these applicants in company with the other accused – Rakesh Banchhor made an attempt on the life of the victim, in which co-accused – Rakesh Banchhor fired a desi katta causing injury on the hand of the victim.

6. Presently, the trial is pending which is likely to take sometime for its conclusion. Similarly placed co-accused has been granted bail by this Court and on the ground of parity, I feel inclined to grant bail to the applicants in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants shall be released on bail on each of them 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 their

appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)

Judge