

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5332 of 2021

Rajkamal @ Bhola (wrongly mentioned as Bholu in first bail application) S/o Late Doodhnath Aged About 37 Years R/o J.M.Q. Colony, Qtr. No. 70, Vishrampur, Police Station Vishrampur, Tahsil- Surajpur, District- Surajpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police Of Police Station- Vishrampur, District- Surajpur, Chhattisgarh

---- Respondent

For applicant - Shri Anil Gulati, Advocate.
For Respondent/State – Shri Ashish Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

11/08/2021

1. This is the third bail application under Section 439 of Cr.P.C. The first bail application was dismissed as withdrawn on 5/01/2021 and the second bail application was rejected on 26/03/2021.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.97/2020 registered in Police Station Vishrampur, District Surajpur (C.G.) for offence punishable under sections 302, 201 r/w 34 of Indian Penal Code.
3. As per the prosecution case, on 7/06/2020 on a dispute over distribution of some money while consuming liquor the applicant alongwith the co-accused assaulted one Ajay Bargah and consequently he succumbed to the injury, therefore the offence has been committed.
4. Learned counsel for the applicant submits that after rejection of the bail of the present applicant, bail of Rajendra Shau @ Raja was allowed who is similarly placed and case of the present applicant is same as that of Rajendra Shau @ Raja , therefore the applicant may also be released on bail.

5. Learned State counsel do not dispute the fact that case of the present applicant stands on the same footing as that of Rajendra Shau.

6. Considering the fact that bail of Rajendra Shau @ Raja has been allowed by this court on 1/07/2021, this court is inclined to release the applicant on bail.

7. Accordingly, the third bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE