

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7585 of 2020

- Deepak Jogi (Dewar) S/o Shri Jairam Jogi (Dewar) Aged About 19 Years R/o Bajrang Nagar, Beergaon, Near Verma Hotel, Police Station Urla, District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Urla, District Raipur Chhattisgarh

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate
For Respondent/State	: Shri Rakesh Sahu, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

24/02/2021

The applicant has filed this second application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 566/2019 registered at police station Urla, district Raipur (CG) for the offence punishable under Sections 302, 201, 120(B)/34 of the IPC and 25/27 of the Arms Act.

His earlier bail application was dismissed as withdrawn with liberty to renew the same after examination of seizure witnesses.

Contention of the counsel for the applicant is that the applicant was arrested only under suspicion and he is in jail since 11.12.2019. He further submits that similarly placed co-accused namely Purushottam Dewangan @ Dadu has been granted bail by this Court

in M.Cr.C. No. 8323/2020 vide order dated 11.02.2021 and therefore the present applicant may also be granted similar benefit. He also submits that the trial is likely to take sometime for its final disposal, therefore he may be released on bail.

On the other hand, counsel for the State opposes the application.

Having heard counsel for the parties, considered the totality of the fact, in particular the fact that similarly placed co-accused has been granted bail, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge