

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8373 of 2021**

Vishal @ Shahil, S/o Manoj Kumar, aged about 23 years, R/o Arvind Nagar
Jorapara Ward No. 63, PS Sarkanda, Dist. Bilaspur: Bilaspur, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through City Kotwali, Baldabazar, District Balodabazar
(C.G.)

----Non-applicant

For Applicant	:	Mr. Ankur Kashyap, Advocate.
For Non-applicant	:	Mr. B.P. Banjare, Deputy Govt. Advocate.

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****29.10.2021**

(1) The applicant/accused has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail in connection with Crime No. 329/2021 registered at Police Station City Kotwali, Baloda Bazar, District Baloda Bazar for commission of offence punishable under Sections 341, 294, 323, 506, 392 and 394 read with Section 34 of IPC

(2) Case of the prosecution, in brief, is that applicant & other co-accused persons stopped the motorcycle of complainant-Bheemlal Khurre, while riding it by him near Gaitra Talab and started demanding money for the sake of liquor and upon refusal by him, they assaulted the complainant and looted money from him and thereby committed the aforesaid offences.

(3) Learned counsel for the Applicant would submit that the applicant has been falsely implicated in the crime in question as he has not committed the alleged offence. He would further submit that applicant has been arrested on 15.09.2021 and no injury has been caused to the complainant in the said incident and that the similarly situated co-accused persons namely Himanshu Bhaskar & Manish Kumar Dhruv have already been released on bail by the coordinate bench of this Court vide order dated 25.10.2021 passed in M.Cr.C. No. 7760 of 2021, therefore, the applicant is also entitled for bail on the ground of parity.

(4) On the other hand, learned Counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary as well as material available on record.

(6) Considering the facts & circumstances of the case, nature & gravity of the offence; detention period of the applicant and the fact that offences registered against the applicant are triable by Judicial Magistrate, First Class, I feel inclined to grant regular bail to the applicant.

(7) Accordingly, the bail application filed under Section 439 of the CrPC is allowed.

(8) 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 trial Court for his appearance before the said Court as and when directed.

Sd/-

(N.K.Chandravanshi)
Judge

