

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8676 of 2020

1. Azhar Mansuri, S/o Mohd. Akhtar Mansuri, aged about 22 years, Occu- Private Service, R/o Mohalla Ghutrapara, P.S. & Tehsil Ambikapur, District Surguja (C.G.)

2. Sonu @ Shahnawaz, S/o Jameer Akhtar, aged about 21 years, R/o Navagarh, P.S. & Tehsil Ambikapur, District Surguja (C.G.)

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, P.S. Kotwali Ambikapur, District Surguja (C.G.)

---- Non-applicant

MCRC No. 9380 of 2020

Avesh Ansari, S/o Naseem Ansari, aged about 19 years, R/o Mayapur, Ambikapur, Tehsil Ambikapur, District Sarguja (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Kotwali – Ambikapur, Sarguja (C.G.)

---- Non-applicant

For Applicants : Mr. Shakti Raj Singh, Advocate in M.Cr.C. No. 8676/2020
For Applicant : Mr. Akshay Upptal, Advocate in M.Cr.C. No. 9380/2020
For Non-applicant/State : Mr. Amit Verma, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

12/03/2021

Heard.

1. Above mentioned two bail applications filed under Section 439 of the

Cr.P.C. arise out of a common Crime No. 486/2020, registered at Police Station Kotwali – Ambikapur, Sarguja (C.G.), for the offence punishable under Sections 307, 147, 148, 149, 188 & 120-B of the Indian Penal Code and Section 25 & 27 of the Arms Act, therefore, they are being heard analogously and decided by this Common Order.

2. As per the prosecution case, the present applicants along with co-accused Mohammed Salim Khan and four other accused persons formed an unlawful assembly and assaulted complainant Ajay Vishwakarma and two others by means of club, sword, iron and knife and thereby committed the aforesaid offences.
3. Learned Counsel for the respective applicants submit that the applicants have been falsely implicated for the alleged commission of offence. He further submits that the applicants are in detention since 01.09.2020, charge sheet has already been filed and that the similarly situated co-accused persons namely Mohammed Salim Khan & Raja Ansari have already been granted bail by this Court vide orders dated 09.11.2020 & 18.02.2021 passed in M.Cr.C. Nos. 7179 of 2020 & 8441 of 2020, respectively, therefore, the present applicants may also be entitled for bail on the ground of parity.
4. On the other hand, learned counsel for the State would oppose the prayer for grant of bail.
5. Considering all relevant aspects of the matter particularly for the fact that the present applicants are in jail since 01.09.2020, charge sheet has already been filed and similarly situated co-accused persons namely Mohammed Salim Khan & Raja Ansari have already been granted bail by this Court vide orders dated 09.11.2020 & 18.02.2021 passed in M.Cr.C. Nos. 7179 of 2020 & 8441 of 2020, respectively, I am inclined to release the applicants on bail.
6. The application is accordingly allowed and it is directed that the applicant shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like

amount to the satisfaction of the concerned trial Court with following further conditions:-

- (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

(Manindra Mohan Shrivastava)

Judge

D/-