

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4489 of 2018

- Hemant Ram S/o Sukhdev Ram Aged About 20 Years Caste Rautiya R/o Village Talasili, Dhadhutoli, Police Chowki-Sonkyari, Police Station Sanna, District Jashpur, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Incharge, Outpost Sonkyari, Police Station Sanna, District Jashpur, Chhattisgarh

---- Respondent

For Applicant
For Respondent-State

Shri J. K. Saxena, Advocate
Shri Ashok Swarnakar, PL

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/07/2018

1. The applicant has preferred this first bail application under Section 439 of CrPC for grant of regular bail, as he is arrested in connection with Crime No.02/2018, registered at Police Station Outpost, Sonkyari, Police Station Sanna, District Jashpur (C.G.), for the offence punishable under Section 302 of IPC.
2. It is submitted that the applicant has been falsely implicated in this case. He is in jail since 10.01.2018. Hence, no case is made out against him and, therefore, the applicant be released on bail.
3. According to the material present in the charge sheet, there is no eye witness and the circumstantial evidence on which the prosecution places its reliance has no connectivity with the

offence committed. It is therefore prayed that the applicant may be granted regular bail.

4. Learned State counsel opposes the bail application and submits that on the basis of the seizure of offence of weapon at the instance of the applicant, the evidence is present against the applicant, hence he is not entitled for grant of bail.
5. Heard learned counsel for the parties and perused the case diary.
6. According to the prosecution case, on the date of incident, the applicant and his father had a quarrel and subsequent to this, his father left the house and the applicant was alone. Later on, the deceased Rajkumar was found dead in the house of the applicant. One of the witnesses made a statement raising a doubt that the applicant might have killed the deceased. Subsequent to that, the FIR has been lodged and the charge sheet has been filed after completion of the investigation.
7. After considering all the materials present in the case diary, I am of this view that it is a fit case for grant of bail to the applicant. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Rajendra Chandra Singh Samant)
Judge