

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6477 of 2018

Dhirendra Satnami, S/o. Rajkumar Baghel, Aged About 27 Years, R/o. Village- Budgahan, P.S.- Baloda, District- Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station Kusmunda, District- Korba, Chhattisgarh.

---- Respondent

For Applicant : Mr. Akhtar Hussain, Advocate

For Respondent : Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09.10.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.189/2017 registered at Police Station- Kusmunda, District Korba (C.G.) for the offence punishable under Sections 302, 201, 120(B), 34 of Indian Penal Code.
2. As per the prosecution case, one Vinod was murdered. It is the case of the prosecution that the father of the deceased Vinod namely Photolal had engaged the killer Raja Patel & Dinesh Chouhan for an amount of Rs.3 Lakhs and the present applicant had conspired to act as a bridge in between conspirator & killers to facilitate their meeting.
3. Learned counsel for the applicant submits that there is no evidence against the present applicant except the memorandum of Photolal and no recovery has been made and the applicant is in jail since 24.09.2017; therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that no recovery has been made from him except the memorandum.
5. Considering the facts and circumstances of the case and further considering the fact that no recovery has been made from the applicant except the memorandum and he is in jail since 24.09.2017, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge