

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3814 of 2019

- Ramparvesh Singh S/o Vijay Kumar Aged About 25 Years R/o Devsarakala, Police Station And Tahsil Kusmi, District Balrampur-Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kusmi, District Balrampur- Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Respondent

 For Applicant : Shri Jitendra Shrivastava, Advocate
 For Respondent/State : Shri Wasim Miyam, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

21.10.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.113/2018, registered at Police Station Kusmi, District Balrampur, Ramanujganj(CG) for the offence punishable under Sections 302, 201/34 of the IPC.
3. As per the case of prosecution, on 23.10.2018 complainant-Smt. Basanti Singh lodged a report in Police Station Kusmi that on 14.10.2018, the applicant called her husband over phone for depositing the voter ID and pass book before the competent authority on which her husband left the house by motorcycle. Thereafter, on 20.10.2018 dead body of her husband was found in a *Nala* of Chawarikona. Memorandum of the applicant was recorded and he was taken into custody.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime. The incident is of 14.10.2018 and FIR has been lodged on 23.10.2018. There is no evidence against the applicant and he has been arrested only on the basis of suspicion and memorandum and the seizure witnesses have turned hostile. He submits the applicant is in jail since 24.10.2018. Charge sheet has been filed and trial will take some time for its final disposal, therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the fact that the applicant is in jail since 24.10.2018, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE