

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4585 of 2019**

Gajendra Sahu, S/o Shri Narayan Lal Sahu, Aged About 18 Years,
R/o Village- Tumgaon, Ward No. 09, Thana - Tumgaon, Civil And
Revenue District : Mahasamund, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through Station House Officer, Police Station,
Tumgaon, District : Mahasamund, Chhattisgarh

---- Respondent

For Applicant. : Shri Sunil Sahu, Advocate.
For Respondent. : Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey
Order on Board

07/08/2019

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 31.07.2018 in connection with Crime No.125/2018 registered at Police Station : Tumgaon, District Mahasamund (C.G.) for the offence punishable under Section 302 of the IPC.
2. As per the prosecution case, the dead body of the deceased Bholu Sen was found near the bridge. During merger and on the basis of statement of the witnesses, the deceased was last seen with the applicant. Based on this applicant has been arrested on 31.07.2018.
3. Learned counsel for the applicant submits that the applicant

has falsely implicated in the present case. He further submitted that the applicant is in custody since 31.07.2018, charge-sheet has been filed and trial will likely to take some more time, therefore, he may be released on bail.

4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and the fact that the applicant is in custody since 31.07.2018 and trial will take some more time, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed.
8. It is directed that the accused/applicant shall be released on bail on his furnishing a personal bond of Rs.50,000/- with two local sureties for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-
(Rajani Dubey)
Judge