

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5461 of 2019

- Rambaran Rajwade S/o Sohan Aged About 45 Years R/o Village Shyamnagar, (Tamor Para), Police Station Bhatgaon, District Surajpur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bhatgaon, District Surajpur Chhattisgarh.

---- Respondent

For Applicant	: Shri D.N.Prajapati, Advocate
For Respondent/State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

22/10/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.43/2019 registered at police station Bhatgaon District Surajpur (CG) for the offence punishable under Sections 302,201,34 IPC.

As per prosecution case, co-accused was having love affair with the deceased which was not liked by the present applicant and therefore he committed his murder by strangulating.

Counsel for the applicant submits that the applicant was only standing near the place of occurrence where the co-accused was

disposed of the dead body. He submits that most of the eyewitnesses have turned hostile. He submits that the applicant is in jail since 26.03.19 and the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge