

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5689 of 2019**

1. Ramesh Shukla S/o Padumnath Shukla, aged about 45 years, R/o village Mohtarakka, Police Station and Tahsil Kasdol, District Baloda Bazar - Bhatapara (C.G.)
2. Niket Shukla @ Nikku S/o Krishna Dutt Shukla, aged about 26 years, R/o village Mohtarakka, Police Station and Tahsil Kasdol, District Baloda Bazar - Bhatapara (C.G.), presently residing at Shivpuri, Police Station Jamul, Powerhouse, Bhilai, District Durg (C.G.)

---- Applicants**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police of Police Station Kasdol, District Baloda Bazar Bhatapara (C.G.).

---- Respondent

For Applicants	:	Shri Abhishek Saraf, Advocate
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****06/11/2019**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.175/2018, registered at Police Station - Kasdol, District Baloda Bazar, Bhatapara (C.G.) for the offence punishable under Sections 363, 302 and 201 of IPC.
2. The allegation against the present applicants is that they committed murder of deceased Rinku and thrown his body in the field and, at their instance, the material which have been recovered shows their involvement in the crime in question. Based on this, offence has been registered. Present applicants have been taken into custody on 11.07.2019.
3. Learned counsel for the applicants submits that the

applicants are innocent and have been falsely implicated in the case. He further submits that the applicants have been arrested on their memorandum, based on which, one towel, cricket bat and wooden basket have been seized that too after 1 ½ years of the alleged incident. He also submits that the present applicants are in custody since 11.07.2019 and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, quality of evidence and further considering the fact that the applicants are in custody since 11.07.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge