

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5790 of 2019

- Yashwant Kumar Padwar @ Amit Padwar S/o Shri Virendra Das Padwar Aged About 23 Years P/a Village Karopani District Dindori R/o Sai Bricks Village Kara, Police Station Urla, District Raipur, Civil And Revenue District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Urla Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

 For Applicant : Shri Ajay Mishra, Advocate
 For Respondent/State : Shri Sameer Singh, Dy. Govt. Advocate

Hon'ble Smt.Justice Rajani Dubey
Order On Board

07.11.2019

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.2/2019, registered at Police Station Urla, District Raipur (CG) for the offence punishable under Sections 302, 201/34 of the IPC.
3. As per the case of prosecution, on 14.12.2018 the applicant committed murder of his wife Devavanti @ Rekha by strangulating her with *Dupatta* and thereafter with the help of co-accused Sukhdev Manzi threw the dead body in the river.
4. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the case and police has arrested him on the basis of memorandum. He submits that

prosecution witnesses have been examined and they have turned hostile. He further submits that the co-accused Sukhdev Manzi has already been released on bail by the Sessions Court. He submits that the applicant is in jail since 8.1.2019 and trial may 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, particularly considering the nature of allegations against the applicant and the co-accused has already been released on bail and charge sheet has been filed, 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 of the like amount 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