

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6151 of 2019**

- Santosh Singh @ Holi S/o - Shri Dharmadev Aged About 31 Years, R/O Village Bharganwa, Post Bare, Police Station Bhagwa, District Bhagwa, Bihar. Present Address- Bankimongra, Premnagar, Police Station Bankimongra, District Korba, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Ratanpur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Nitesh Shrivastava, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 204/2018 registered at Police Station Ratanpur, District-Bilaspur (C.G.) for the offence punishable under Section 302 of the IPC.
2. The prosecution story, in brief is that, on 01.06.2018 an unknown dead body has been found and on 07.06.2018 a report was lodged on the basis of memorandum the present applicant was arrested. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the important witness of this case has been turned hostile. The applicant is in jail since 24.05.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the main witness of the case has been turned hostile and the present applicant is in jail since 24.05.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**