

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6239 of 2019**

- Vikrant @ Vicky Chandrakar S/o Basant Chandrakar Aged About 22 Years, R/o Village Konari, Police Station Pulgaon, District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station Pulgaon, District Durg, Chhattisgarh.

---- Respondent

With**MCRC No. 6975 of 2019**

- Pradeep Reddi S/o Pitambar Reddi, Aged About 22 Years, R/o Behind Hotel Fore Season, Deepak Nagar, Durg, Tahsil And District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station Pulgaon, District Durg, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. B.P. Singh, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.11.2019**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 150/2019 registered at Police Station Pulgaon, District-Durg (C.G.) for the offence punishable under Section 302/34 of the IPC.
2. The prosecution story, in brief is that, an unknown person informed the Sub-inspector of Police Station, Pulgaon that a dead body is lying near Community Building of Village Mohlai. On the basis of said information, the police reached to the spot and recovered the dead

body and the photograph of dead body was uploaded through whatsapp and on the basis of whatsapp message, one Ratnam son of B. Paulu identified the dead body as his brother B. Bhaskar. Based on this offence has been registered against the unknown persons and after investigation the present applicants were arrested.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the main allegation is against the other co-accused and applicants are in jail since 27.03.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants 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 applicants and further considering the facts that the main allegation is against the other co-accused and applicants are in jail since 27.03.2019, 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 applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge