

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6545 of 2019

- Akbar Husain S/o Jalil Ahmed Aged About 38 Years R/o Amva, Post Udaygarh, Police Station Chhattarpur, District Palamu, Jharkhand.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Pasta, District Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Shri Rajat Agrawal, Advocate
For Respondent /State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

02/12/2019

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. 35/2018 registered at police station Pasta, District Balrampur-Ramanujganj (CG) for the offence punishable under Sections 302,364-A and 120-B IPC and Sections 25 and 27 of the Arms Act.

Case of the prosecution in brief is that dead body of deceased Bhola Kumar Sao was found in the area of Police Station Latehar and the dead body of deceased Shagufta parveen was found in the Kanda Forest of Police Station Pasta. It is alleged that the present applicant along with co-accused has hatched a conspiracy to kill the deceased.

Counsel for the applicant submits that the applicant has been falsely implicated in the present case. He submits that except on the basis of memorandum of co-accused he has been arrested. He further submits that nothing has been seized from him and that similarly placed co-accused has already been granted bail by this Court in M.Cr.C. No. 2374/2019 vide order dated 07.05.2019 and therefore the present applicant may also be granted the benefit. He submits that the applicant is in jail since 08.07.2019; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular 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 in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge