

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6391 of 2019**

- Santosh @ Santu S/o Shiv Prasad Aged About 24 Years R/o - Village - Kahhoud, Gudru Para, Post Office And Police Station - Kelhari, District - Koriya Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Kelhari, District - Koriya Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent	:	Mr. Sameer Sharma, Dy.G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 34/2019 registered at Police Station - Kelhari, District Koriya (C.G.) for the offence punishable under Sections 302, 201/34 of IPC.
- The prosecution story in brief is that, complainant Lalli Bai lodged a report before Police Station Kelhari, alleging therein that other accused person namely Shivprasad committed marpeet by way of hand, fist and stick with the deceased, who is the wife of Shivprasad, due to which she died. After completion of investigation, offence has been registered against the applicant and he was arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the main allegation is against the co-accused namely Shivprasad and the present applicant has

been arrested only on the basis of suspicion. He is in jail since 03.06.2019, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant and further considering the fact that 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.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge