

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6509 of 2019**

- Brijlal Kewat S/o Badkuram Kewat Aged About 20 Years, R/o Village Bhandora, Thana- Kasdol, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : The Police Station House Officer- Thana- Kasdol, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Deepak Jain, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/12/2019**

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. 619/2019 registered at Police Station-Kasdol, District-Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 305 of the IPC.
2. The prosecution story, in brief is that on 29.06.2019 at about 3:00 PM, deceased Ku. Radhika Paikara suicide in village-Bhandora, way of Putpura forest by hanging herself. After investigation it is found that on 29.06.2019 at the time of incident deceased with Ku. Chulbuli Alias Ragani Paikara were gone towards the forest, where the applicant/accused already present and on saying of applicant Chulbuli returned to home. Thereafter, deceased found hanged at forest. 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 there is no direct allegation against the applicant. The applicant is in jail since 07.09.2019, 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 no direct evidence against the present applicant and the present applicant is in jail since 07.09.2019 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**