

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6679 of 2019

- Shivnarayan Singh S/o Late Ramanuj Singh Aged About 23 Years R/o Village Murma (Mahuapara), Police Station Patna, District Korla, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Patna, District Korla, Chhattisgarh

---- Respondent

For Applicant	: Shri V.K.Pandey, Advocate
For Respondent/State	: Shri Wasim Miyan PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/12/2019

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.263/2019 registered at police station Patna, District Koriya (CG) for the offence punishable under Sections 302, 201 and 34 IPC.

As per prosecution case, the applicant and co-accused persons namely Harishchandra and Mohelal have committed murder of deceased Harilalal by inflicting injuries with stone and threw the dead body in a well with an intention to cause disappearance of evidence.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that name of

the accused does not find place in the FIR and the even if the entire case of prosecution is taken as it is, offence as alleged is not made out against the applicant. He submits that the applicant is in jail since 11.07.17; the charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion and therefore he may be released on bail.

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