

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 165 of 2020

- Mohan Lal Patel S/o- Jivan Lal Patel Aged About 33 Years R/o- Atal Awas, Urla Raipur, District- Baloda-Bazar-Bhatapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Pallari, District- Baloda-Bazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Shri Hemant Gupta, Advocate
For Respondent /State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/03/2020

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. 365/2019 registered at police station Pallari, District Raipur Baloda Bazar, Bhatapara (CG) for the offence punishable under Sections 302,201,397 and 120-B IPC.

As per prosecution case, report was lodged against four persons including the applicant for assaulting the deceased resulting his death. It is also alleged that they had looted him of Rs. 5,00,000/-.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that as per the memorandum of co-accused, the applicant was not present at the time

of incident. He submits that the applicant is in jail since 19.09.2019 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