

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 250 of 2020

- Shivshanker Yadav S/o Rajdev Yadav Aged About 38 Years R/o Sanjay Nagar, House No. 420, Near Parmeshwari School, Supela, Bhilai, District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Durg, District Durg Chhattisgarh

---- Respondent

For Applicant	: Shri Jitendra Gupta, Advocate
For Respondent/State	: Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

24/02/2020

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. 218/2019 registered at police station Supela, (Chowki Smritinagar), District Durg (CG) for the offence punishable under Sections 302 and 201 IPC.

As per prosecution case, on 09.02.2018, a dead body of unknown person was found and report was lodged against unknown person. After investigation, case was registered against the present applicant on the ground that he was the friend of the deceased and was last seen together.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that only on the basis of memorandum of the applicant he has been arrested and nothing has been seized from his possession. He submits that except last seen together, there is nothing against the applicant and the applicant is in jail since 22.09.2019 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