

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 744 of 2020**

- Inam Kumar Sahu S/o Paras Ram Sahu Aged About 31 Years Caste Teli, R/o Village Baihakuan, Post Bharda, Police Station Daundilohara, District Balod, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Daundilohara, District Balod, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Aditi Singhvi, Adv.
For Respondent/State	:	Ms. Akshara Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/03/2020**

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. 248/2019 registered at Police Station Daundilohara, District-Balod (C.G.) for the offence punishable under Sections 302 and 201 of IPC.
2. The prosecution story, in brief is that, on 15.10.2019, a dead body of deceased Lileshwar was found in a pond at Baihakuan after which a merg intimation was registered. It is alleged that the applicant being frustrated by the fact that the deceased trespassed the wall and entered into his house, due to this, applicant strangled and killed the deceased thereafter threw his dead body in the pond. 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. She further submits that the no seizure has been

made from the applicant, which shows that the applicant has committed the said offence. The applicant is in jail since 18.12.2019, 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 the applicant is in jail since 18.12.2019, 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**