

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1809 of 2020**

Chandeshwar Dubey, s/o Ved Prakash Dubey, Aged about 26 years,
r/o Village Gumgarakhurd, Lakhanpur, PS and Tahsil Lakhanpur,
District Surguja (CG)

---- Applicant

Versus

- State of Chhattisgarh, Through – District Magistrate, Ambikapur,
District Surguja (CG)

---- Respondent

For Applicant	: Mr. Sumit Singh Rathore, Advocate.
For Respondent/State	: Mr. K.K. Singh, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board**

18.06.2020

- The accused/applicant has moved his first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 203/2018 registered at Police Station – Lakhanpur, District Surguja (C.G.) for the offence punishable under Section 302 of IPC.
- According to the prosecution story, on 03.11.2018 the applicant assaulted his father deceased with fist and legs, resultantly the deceased caused internal injuries in his body and during treatment he died.
- Learned counsel for the applicant submits that the applicant is innocent and falsely been implicated in this case and he further submits that the applicant without any intention to kill the deceased. He next contended that the applicant is in jail since 05.07.2019, therefore, he may be granted bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.

- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/-, with one local surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.
- It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **in Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

Sd/-
(Rajani Dubey)
Judge