

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3797 of 2020**

- Ashok Yadav S/o Lalaram Yadav, A/o. 31 years, R/o Village Bhatgaon, P.S. City Kotwali, Mungeli, District Mungeli Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station City Kotwali Mungeli, District Mungeli Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Atul Kumar Kesharwani, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****14.08.2020**

1. Heard.
2. Admit.
3. The applicant has filed this **Second Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 558/2019 registered at Police Station : City Kotwali Mungeli, District Mungeli (C.G.) for the offence punishable under Section 302 of the IPC.
4. The first bail application of the applicant was dismissed on 02.03.2020 passed in MCRC No. 67/2020 by this Hon'ble Court and liberty was given to renew the same after examination of material witnesses.
5. According to the prosecution story, the allegation against the present applicant is that he committed murder of complainant's father namely Kuwaru Ram. On the basis of

that, offence has been registered against the applicant and he has been arrested.

6. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He next added that the eye witnesses Janiram (PW-3) and Ashok Sahu (PW-4) (son of the deceased) as well as the memorandum witness (PW-2) have been examined before the trial Court and they have not supported the prosecution case. The applicant is in jail since 18.09.2019 and he ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
7. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
8. I have heard learned Counsel for the parties.
9. Considering the facts and circumstances of the case, the detention period of the applicant, depositions of the prosecutions witnesses before the trial Court and further considering that as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
10. Accordingly, the bail application is allowed.
11. 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 his appearance before the said Court as and when directed.

Sd/-
(Rajani Dubey)
Judge