

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3261 of 2020**

- Sadhuram Kashyap S/o Sonadhar, Aged about 23 years, Caste-Muriya, R/o Hitameta Schoolpara District South Bastar Dantewada State (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through Thana Barsoor, District Dantewada (C.G.)

---- Respondent

For Applicant.	:	Mr. Vikas A. Shrivastava, Advocate.
For Respondent/State	:	Mr. Ravish Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.07.2020**

1. Heard on admission.
2. Admit.
3. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 24/2019 registered at Police Station : Thana Barsoor, District Dantewada (C.G.) for the offence punishable under Sections 302/34, 120-B of the IPC.
4. As per the prosecution case, the allegation against the present applicant is that, he along with co-accused, killed one Cham Singh. Based on that, offence has been registered against the applicant and the applicant was

arrested.

5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that the co-accused namely Mungbati Yadav has already been granted bail by this Hon'ble Court on 19.03.2020 passed in MCRC No. 916/2020. He also added in his submission that the memorandum and seizure witnesses have not supported the prosecution case before the trial Court. As the applicant is in jail since 22.10.2019 and he is 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.
6. On the other hand, State counsel strongly opposes the bail application.
7. I have heard learned counsel for the parties and perused the record.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, particularly the fact that co-accused has been granted bail by this Court and the memorandum and seizure witnesses have not supported the prosecution case before the trial Court, as the applicant is in jail since 22.10.2019 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.

9. 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 said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu