

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.3913 of 2020

- Jagdish Yadav, S/o Ganesh Ram Yadav, Aged About 61 Years, R/o Rasela, P.S. Chhura, District Gariyaband, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through- Station House Officer, Police Station Chhura, District Gariyaband, Chhattisgarh

---- Respondent

MCRC No.4001 of 2020

- Shyamu @ Shyam Lal Yadav, S/o Kacharu Yadav, Aged About 45 Years, R/o Rasela, Police Station Chhura, District Gariyaband, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Chhura, District Gariyaband, Chhattisgarh

---- Respondent

For Applicants
For Respondent

Shri A. D. Kuldeep, Advocate
Shri Vikram Sharma, Dy. GA

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

02/09/2020

1. The applicants have preferred these bail applications under Section 439 of the CrPC, as they have been arrested in connection with Crime No.54/2018, registered at Police Station Chhura, District Gariyaband (C.G.) for the offence punishable

under Section 302 read with Section 34 of IPC.

2. 4 accused persons committed murder of deceased Kaushalya in the Karimati Forest. There is no eye witness to the crime. The case of the prosecution is based on memorandum statement of the accused persons. Although memorandum statement of these two applicants has been recorded but nothing has been recovered from them. The witnesses so far examined before the Trial Court including the witnesses to the memorandum statement and consequent seizure have turned hostile.
3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the quality of evidence available on record, this Court is inclined to release the applicants on bail.
5. Accordingly, both the bail applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
Prashant Kumar Mishra
Judge