

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.4181 of 2020

- Krishna Yadav, S/o Kondro Yadav, Aged About 31 Years, Caste Makkool, Occupation Agriculture, Residence Of Tamta Bathanpara, P.S. and Tahsil Patthalgaon, District Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Patthalgaon, District Jashpur, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri C. J. K. Rao, Advocate
Ms. Fouzia Mirza, Addl. AG

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

31/08/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.4/2020, registered at Police Station Patthalgaon, District Jashpur (C.G.) for the offence punishable under Sections 302 & 201 of IPC.
2. On a dispute concerning non payment of some amount, which the applicant owed to the deceased, a quarrel took place at about 2-3 pm on 05.01.2020. The applicant informed the witness Yadubaj in the same evening that Yogendra is coming to his house for resolving the dispute and he should also come,

however, Yadubaj did not come to the house of the applicant. The dead body of deceased Yogendra was found near *nala* on the next day.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Except for the memorandum statement and recovery of blood stained clothes, there is no evidence in the nature of eye witness or extra judicial confession. In the memorandum statement, the applicant disclosed that when the deceased had come to the house in the evening, he inflicted teeth bite over his left forearm and this injury is available on the applicant's left forearm, however, there is no FSL report till date.
5. Considering the quality of evidence and for the fact that the applicant is in jail since 07.01.2020; charge sheet has already been filed, this Court is inclined to release him on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his 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. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
Prashant Kumar Mishra
Judge