

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4373 of 2020**

- Dhanidas S/o Shri Konda Das, aged about 55 years, R/o Village Pipartarai Tahsil Kota, P.S. Kota, District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through- SHO Kota, Bilaspur District Bilaspur Chhattisgarh.

---- Respondent

For Applicant. : Mr. Dheerendra Pandey, Advocate.
For Respondent/State : Mr. Vikram Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.08.2020**

1. The applicant has filed this first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 06/2009 registered at Police Station Kota, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 302, 120-B, 34 of the IPC.
2. The allegation against the present applicant, as per the prosecution case, is that he along with co-accused has committed murder of the deceased with the help of wooden club. Based on that, after investigation, offence has been registered against the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question because he was not involved in any such incident. He next submits

that he has been made accused on the basis of memorandum of the co-accused while the main allegation is against the co-accused namely Gangadas @ Chhotu who has been acquitted by the trial Court. He also added that, the applicant is in jail since 06.03.2020 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.

4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, as applicant is in jail since 06.03.2020 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.
7. 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