

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4269 of 2020

- Dilip Sahu, S/o. Late Lalaram Sahu, Aged about 33 years, R/o. Village Bargaon, PS and Tahsil Berla, DistrictBemetara CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Bemetara, district Bemetara CG

---- Respondent

For Applicant : Shri Rajkumar Pali, Advocate
For Respondent /State : Shri H.S.Ahluwalia, Dy.AG

Hon'ble Smt. Justice Rajani Dubey

Order On Board

17/08/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 532/2019 registered at police station Bemetara, District Bemetara (CG) for the offence punishable under Sections 302,201,34 IPC.

As per prosecution case, the applicant and co-accused persons committed murder of the deceased by strangulation on account of some previous enimity.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that there is no eyewitness to the incident. He submits that except the memorandum of the applicant by which seizure of clothes and rope were made, nothing is there to show that the applicant has committed the crime. He submits

that the applicant is in jail since 03.11.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge