

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4261 of 2020**

- Bramhanand Sonkar, S/o Shri Diwan Sonkar, Aged about 37 years, R/o Behind Jagriti School, Sonkar para Bhathagaon, Raipur, District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – Station House Officer, PS-Purani Basti, District Raipur (C.G.)

---- Respondent

For Applicant	:	Ms. Smita Jha, Advocate.
For Respondent/State	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/08/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 93/2020 registered at Police Station- Purani Basti, District Raipur (C.G.) for the offence punishable under Sections 302, 120-B, 34 of the IPC and under Sections 25 and 27 of the Arms Act.
2. The prosecution story in brief is that, on 12.03.2020 the accused in Bazar Chowk, Bhatagaon Raipur went to the clinic of Jeevanlal Jalchhatri regarding the matter of old dispute where he threatened to kill and gave filthy language in the name of mother and sister in the corridor and with the intention of killing him he have a blow with knife, scissors in the body of Jeevanlal Jalchhatri as a result of which, he died in the present instance.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that from observation of FIR, it is clearly establish that no criminal act has been done by the applicant, as in the FIR the name of the applicant is not

mentioned. Except memorandum, nothing has been seized from him and the name of the applicant does not find place in the FIR. He next submits that the applicant is in jail since 16.03.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the applicant is in jail since 16.03.2020, 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 trial Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge