

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4396 of 2020**

- Harish Chandra Sahu, S/o Mohan Lal Sahu, Aged about 25 years, R/o Village Torla, PS Gobra Navapara, District Gariyaband (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through– PS Shobha, District Gariyaband (C.G.)

---- Respondent

For Applicant	:	Mr. Ravindra Sharma, Advocate.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/09/2020**

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. 12/2018 registered at Police Station- Shobha, District Gariyaband (C.G.) for the offence punishable under Section 302 of the Indian Penal Code, 1860.
2. The prosecution story in brief is that on 24.12.2018, the son of the deceased Daya Ram Netam & Tulsi Netam lodged the complaint stating that mid night of 23.12.2018-24.12.2018, the unknown person has committed murder of his mother and father. The complainant further stated that his mother and father were residing in their farm house, the complainant went to saw the crop of his farm and he raised alarm to his mother and father but they did not made any response, therefore, the complainant entered into the room and found his mother and father dead. On the basis of the information of the complainant, police registered the offence against the unknown person.
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 except memorandum nothing incriminating against the applicant. He also submits that the applicant is in jail since 25.12.2018, 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 the applicant and further considering that the applicant is in jail since 25.12.2018, 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 present applicant on bail. Accordingly, the bail 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.

Certified copy, as per rules.

**Sd/-
(Rajani Dubey)
Judge**

Vasant