

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4650 of 2020**

- Neharu Lal Rana, son o Niranjan Rana, aged about 50 years, resident of village Nelriya, Thana Chakardhar Nagar Raigarh, Tahsil & District Raigarh (C.G.)

---- Petitioner**Versus**

- State Of Chhattisgarh Through : Police Station Chakradhar Nagar, Raigarh, District Raigarh (C.G.).

---- Respondent

For Applicant	:	Shri Raj Kumar Pali, Adv.
For Respondent	:	Shri Vimlesh Bajpai, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****14/09/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.430/2019, registered at Police Station - Chakradhar Nagar, District Raigarh (C.G.) for the offence punishable under Sections 302 and 201 IPC.
2. The prosecution story, in brief, is that on 16.11.2019, the complainant lodged a missing report at police station alleging therein that on 14.11.2019 at 8.00 am, her husband went for labour work and did not come back. She searched him nearby but all the efforts went in vain. On 16.11.2019, the dead body of deceased was recovered from an open place. During investigation, the applicant was taken into custody, he was interrogated in which it was revealed that he has committed murder of the deceased. Based on this, the offence has been registered. The present applicant has been taken into custody on 17.12.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there is no eye-witness to the incident and only on the basis of previous enmity the present applicant has been implicated in the crime in question. The dead body of deceased recovered from an open place which was accessible for public. He also submits that only axe has been seized from him and except that there is nothing incriminating against the present applicant. He also submits that the applicant is in custody since 17.12.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the preset applicant is in custody since 17.12.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge