

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5784 of 2020**

- Prashant Barle, S/o Tirathram Barle, Aged About 25 Years, R/o Shiv Anand Nagar, Behind Central Library, Durg, Police Station - Durg, District- Durg Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - District Magistrate, Durg, District - Durg Chhattisgarh and Also Through Police Station - Durg, District- Durg Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Pushpendra Kumar Patel, Adv.
For Respondent/State	:	Mr. Raghvendra Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10.12.2020**

1. The accused/applicant has moved this **second bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 480/2019 registered at Police Station- Durg, District- Durg, (C.G.) for the offence punishable under Section 302 of IPC.
2. The first bail application of the applicant was dismissed on merits vide order dated 23.06.2020 by this Hon'ble Court.
3. The prosecution story, in brief is that, on 21.05.2019, present applicant has committed murder of deceased Golu @ Vijay Sahu with the help of Sumba (Iron Rod). Based on this, offence has been registered. Present applicant has been taken into custody on 21.05.2019.
4. 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 there is no direct allegation

against the applicant. The applicant is in jail since 21.05.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application submitting that the offence committed by the applicant, is of serious in nature, therefore, it is not a fit case to release him on bail.
6. I have heard learned counsel for the parties and material available on record.
7. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
8. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge

Ruchi