

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6205 of 2020**

- Raj Mandle, S/o. Shri Rajkumar Mandle, aged about 19 years, R/o Sitanagar, Gogaon, P.S. Gudiyari, Tahsil and Distt. Raipur (CG)

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through, Through the Station House Officer, PS Kabir Nagar, Distt. Raipur (CG)

**---- Respondent**

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| For Applicant        | : | Shri C.P. Lahre, Advocate.   |
| For Respondent/State | : | Shri Dinesh Tiwari, Dy. A.G. |

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**Hon'ble Shri Gautam Chourdiya,**

**Order on Board**

**25/11/2020**

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.234/2019 registered at Police Station-Kabir Nagar, Distt.-Raipur (CG) for the offence punishable under Sections 302,201,120-B,34 IPC and Sections 25 and 27 of the Arms Act.

As per prosecution case, report was lodged by the complainant alleging that his son was found murdered near the transformer at his village. It is alleged that the report has been made against unknown person.

Counsel for the applicant submits that the applicant has been falsely implicated in the case and that the similarly situated co-accused

namely Ved Prakash Chandrakar and Vedram have already been granted regular bail by the co-ordinate Bench of this Court vide order dated 10.08.2020 passed in MCRC No.965/2020. He submits that the applicant has been arrested on the basis of merg and that the witness to memorandum on seizure has turned hostile. He submits that the applicant is in jail since 19.08.2018; charge-sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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 and the fact that the similarly situated co-accused have already been released on regular bail by the co-ordinate Bench, 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 on 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. He is directed to appear before the Trial Court on each and every date given to him by the said Court, till disposal of the trial.

It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-  
**(Gautam Chourdiya)**  
**Judge**