

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6336 of 2020

- Labba Poyami S/o Dulo Poyami Aged About 30 Years R/o Schoolpara Village Tirthum Police Station Kodena District Bastar Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through - The Police Station Kodena District Bastar Chhattisgarh.

---- Respondent

For Applicant : Mr. P.K. Tulsyan, Advocate

For Respondent : Mr. Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.12.2020

1. The applicant has preferred this application u/s 439 of Cr.P.C. for grant of bail as he is arrested on 20.07.2019 in connection with Crime No. 47/2019 registered at Police Station Kodena District Bastar (C.G.) for offence punishable under section 302 of IPC.
2. As per the prosecution case, the applicant on 19.07.2019 killed the father of the complainant Saibo Poyami by smashing his head by a stone, thereafter he made an extra judicial confession before Saibo Poyami. He further submits that the person before whom the extra judicial confession has been made has not supported the case of the prosecution and expect this evidence no other evidence exists and no eye witness is available.
3. Learned State counsel is not able to dispute the fact that other than the extra judicial confession, no evidence is available.
4. Perused the the Statement of Saibo Poyami and it appears that he has not supported the case of the prosecution and except extra judicial confession no other evidence is available.

5. Taking into such submission, without any observation, I am inclined to grant bail. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti