

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7322 of 2019

- Shivkumar Keshariya @ Shibu S/o Sewak Ram Keshariya Aged About 22 Years R/o Village Mankisalhe, Police Station And Post Office, Pinka, District Balod Chhattisgarh,

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Sarswati Nagar, District Raipur Chhattisgarh,

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate
For Respondent/State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/01/2020

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.121/2019 registered at police station Saraswati Nagar, district Raipur (CG) for the offence punishable under Section 302 IPC.

As per prosecution case, report was lodged by the complainant alleging that on the date of incident, applicant came to the house of the deceased and some dispute arose between them as a result of which the applicant committed her murder.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the applicant

and the deceased were having love affair and therefore on the basis of suspicion, the applicant has been implicated. He submits that except the memorandum of the accused, nothing has been seized from his possession. He submits that the applicant is in jail since 11.07.2019 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, 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 in the event of the applicant's 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.

Sd/-
(Rajani Dubey)
Judge