

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7800 of 2019**

- Kuberchand Mehar S/o Shri Panchram Mehar Aged About 20 Years, R/o Village Ramhepur Police Station Lormi, District Mungeli, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : City Kotwali Mungeli, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Dheerendra Pandey, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/01/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 440/2019 registered at Police Station-City Kotwali, Mungeli, District - Mungeli (C.G.) for the offence punishable under Sections 449, 302, 34 of the IPC.
2. The prosecution story, is that on 10.07.2019 at about 6:00 am., present applicant along with other co-accused committed murder of the Dingadmal with knife due to previous enmity. Based on this, offence has been registered against the present applicant.
3. 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 no evidence available on record against the present applicant except memorandum statement and the applicant is in jail since 11.07.2019, there is no likelihood of his case being

decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that no evidence available on record against the present applicant except memorandum statement the applicant is in jail since 11.07.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**