

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8362 of 2019**

- Dhananjay Sonwani, S/o Prem Prakash Sonwani, Aged About 24 Years, R/o Tikrapara, Devpur, Police Station- Nagari, Tahsil- Nagari, District- Dhamtari Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through: The Station House Officer, Police Station- Nagari, District- Dhamtari Chhattisgarh.

---- Respondent

For Applicant	: Mr. Praveen Dhurandhar, Adv.
For Respondent/State	: Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.02.2020**

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. 74/2019 registered at Police Station- Nagari, District- Dhamtari, (C.G.) for the offence punishable under Sections 302, 201 & 120-B/34 of I.P.C.
2. The prosecution story, in brief is that, on 03.09.2019, the wife of the deceased has murdered his husband with the help of Dikesh Ratre and present applicant and took his dead body on motorcycle and threw it in bush. Thereafter, offence has been registered against the present applicant and other co-accused persons.
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 the present applicant is not a main accused. Except memorandum and seizure of one motorcycle and mobile phone, there is no incriminating evidence against the present applicant. The applicant is in jail since 09.09.2019, 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, and further considering the facts that applicant is not a main accused. The applicant is in jail since 09.09.2019 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**