

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 565 of 2021**

- Surya @ Suryapratap Singh S/o Baljeet Singh Aged About 25 Years R/o Village- Chhote Kalua, Police Station- Khadgawa, Civil And Revenue District- Koriya (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Bango, District- Koriya (C.G.)

---- Respondent

For Applicant	:-	Mr. Vasant Zokarkar, Advocate
For Respondent-State	:-	Mr. Sudeep Agrawal, Dy.A.G.

Proceedings through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag.CJ**
Order On Board**22/07/2021**

1. The applicant has preferred this **second** bail application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.200/2019 registered in Police Station Bango, District Korba C.G. for the offence punishable under Sections 302, 201, 379, 411 of the I.P.C.
2. Deceased Naresh Rajak, present applicant and co-accused Santram had their dinner together on 08.11.2019. Immediately after the dinner, a quarrel took place between the accused persons and deceased Naresh Rajak in which the present applicant hits the deceased over his left mandible region by

means of wheel spanner.

3. Admittedly, there is no eye-witness to the crime. The dead body was recovered on 09.11.2019, thereafter, memorandum statement of the accused was recorded in the presence of witnesses Manohar and Buddhuram Chauhan. Memorandum statement of Santram was recorded in the presence of Vikas Bhaskar. The witness to the memorandum statement of the present applicant namely PW2 Manohar and PW3 Buddhuram Chauhan have turned hostile in course of trial.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the quality of evidence and for the fact that he is in jail since 22.11.2019 i.e., for more than 1 ½ year, I am inclined to release the applicant on bail.
6. Accordingly, the **second** bail application is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-
(Prashant Kumar Mishra)
Acting Chief Justice