

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2207 of 2021**

- Janak Karayat, S/oLate Phool Singh, Aged About 58 Years, R/o Village Tatenga, Police Station Devri, District Balod (Chhattisgarh).

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Manpur, District Rajnandgaon (Chhattisgarh).

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Patel, Adv.
For Respondent/State	: Mr. Gagan Tiwari, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.06.2021**

1. The matter is heard through video conferencing.
2. 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. 63/2019 registered at Police Station- Manpur, District Rajnandgaon (C.G.) for the offence punishable under Sections 302, 392, 201, 34 of IPC.
3. The prosecution story, in brief is that, it has been alleged that present applicant and other co-accused person have committed murder of deceased by strangulation. Thereafter, offence has been registered against the present applicant.
4. 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 only on the basis of suspicion, offence has been registered against him and he is not a main accused person. He next added that the applicant is in jail since

08.10.2020 there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the applicant is of serious in nature, and, therefore, no case is made out for grant of bail.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that except memorandum, nothing adverse has been seized against the applicant and he is not a main accused person and applicant is in jail since 08.10.2020, 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.
8. 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)
Vacation Judge**

Ruchi