

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2472 of 2021

- Karan Ratre And Another S/o Jagdish Ratre Aged About 20 Years R/o Jarhabhanta, P. S. Civil Line Tahsil And District Bilaspur Chhattisgarh
- Laxmi Prasad Ratre S/o Dashrath Ratre Aged About 22 Years R/o Jarhabhanta, P. S. Civil Line Tahsil And District Bilaspur Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through P. S. Seepat Bilaspur, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Shri Raj Kumar Gupta, Advocate
For Respondent/State	: Shri B.P.Banjare, Dy.GA

Hon'ble Smt. Justice Rajani Dubey
Order On Board By Virtual Hearing

28/06/2021

The accused/applicants have moved this second bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.350/2019 registered at Police Station – Seepat, District Bilaspur (C.G.) for the offence punishable under Sections 294,323,506,147,148,149,365,302 and 201 of the IPC.

It is the case of the prosecution that a report was lodged by the informant alleging that on the date of incident, at about 3.30 am, when he along with his friend were going to attend the call of nature, 9-10 persons came by four wheeler (Scorpio), abused and assaulted them.

It is alleged that they tforcefully took his friend along with them and thereafter his deadbody was recovered from Village Beltukri.

Counsels for the applicants submit that the applicants have been falsely implicated in the crime in question. He further submits that all the eyewitnesses of memorandum and seizure has turned hostile and have not supported the prosecution case. He submits that the applicants are in custody since 22.09.2019 and the trial is likely to take some time for its final disposal, therefore they may be released on bail.

On the other hand, counsel for the State opposes the bail application.

Considering the facts and circumstances of the case, in particular, the detention period of the applicants, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

Accordingly, the applications filed under Section 439 Cr.P.C. are allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one local surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.

Sd/-

(Rajani Dubey)
Judge