

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2392 of 2021**

1. Ramkeshwar @ Keshiya S/o Kariman Aged About 60 Years R/o Surra, Police Station Balrampur, District- Balrampur - Ramanujnang, Chhattisgarh
2. Deepak Singh S/o Omnath Singh Aged About 19 Years R/o Surra, Police Station Balrampur, District- Balrampur – Ramanujnang, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Balrampur, District- Balrampur - Ramanujnang, Chhattisgarh

---- Respondent

For Applicant/s	:	Mr. C.Jayant K.Rao, Advocate.
For State	:	Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****27/08/2021**

Heard.

1. This is repeat application for grant of bail. Earlier application was dismissed as withdrawn.
2. The applicants have moved this application for grant of bail as they are arrested in connection with Crime No.378/2020 registered at Police Station- Balrampur, District- Balrampur-Ramanujganj, C.G. for the alleged commission of offence under Section 302 read with Section 34 of IPC.
3. Prosecution case is that the applicants committed murder of Phaleshwar.
4. Learned counsel for the applicants would submit that though the incident was witnessed by as many as 3 witnesses namely Rambriksh, Ramjanam and Govind Singh, all of them have been examined during trial and none of them have supported the case of the prosecution. According to him, except this, there is no other incriminating circumstantial evidence also collected by the prosecution which could lead to involvement of the applicants in the alleged commission of offence.

5. On the other hand, learned State Counsel opposes and submits that the applicants are being tried for heinous offence and if they are granted bail, their presence may not be secured and they may flee away also.
6. Considering the submissions of learned counsel for the parties, particularly taking into consideration the submission of learned counsel for the applicants and material on the basis of prosecution case has been build up and that all the so-called eyewitnesses have already been examined by the trial Court and there is no material to show that the applicants are likely to abscond or tamper with prosecution witnesses, therefore, at this stage, I am inclined to grant bail to the applicants.
7. Accordingly, the bail application is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties of the like amount to the satisfaction of the Trial Court on the condition that-
 - a) They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) They shall not in any manner, tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge