

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceeding through video conferencing****MCRC No. 4273 of 2021**

- Santlal S/o Ravi Ram, Aged About 27 Years R/o Village Suwarpara, P.S. And Tahsil Batouli, District Surguja Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Batouli, District Surguja Chhattisgarh.

---- Respondent

For Applicant - Shri Akath Kumar Yadav, Advocate.
For Respondent/State - Shri Arjit Tiwari, Panel Lawyer.

Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice
Order on Board

04-08-2021

1. Heard.
2. The applicant has preferred the first bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with Crime No.23/2021, registered at Police Station – Batouli, District- Surguja (C.G.) for the offence punishable under Section 302, 201 r/w 34 of the Indian Penal Code.
3. The applicant and co-accused Lokesh Paikra (juvenile) have allegedly committed murder of deceased Ujala Khairwar and Dilip Paikra during the period 25-02-2021 to 26-02-2021. For last three years, Dilip Paikra was residing with his Uncle (Mausa) Krishna Nath Paikra. As per the statement of Jodhan Sai and Krishna Nath Paikra, deceased was not

traceable since after 5 p.m. of 25-02-2021 and later on it was Krishna Nath Paikra who saw the dead body of both the deceased persons in the threshing yard of Sagar Sai. Deceased Dilip Paikra was having an affair with the other deceased Ms. Ujala Khairwar.

4. There is no eye witness to the crime. None of the witnesses speak about any evidence of last seen together. The only evidence against the applicant is his memorandum statement and recovery of Club.
5. Learned State counsel would oppose the prayer for grant of bail.
6. Considering the quality of evidence and for the fact that he is in jail since 10-03-2021 i.e. for last about five months and also the charge sheet has already been filed, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his 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 Judge

Amardeep