

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6208 of 2020**

1. Baldhari Ram, S/o. Shri Suru Cherwa, Aged About 22 Years.
2. Maya Ram, S/o. Late Jeevanlal, Aged About 21 Years.

Both R/o. Singchora, P.S. & Tahsil Rajpur, District Balrampur Ramanujganj Chhattisgarh

---- Applicants

Versus

The State Of Chhattisgarh, Through The Station House Officer, Police Station Rajpur District Balrampur-Ramanujganj Chhattisgarh

---- Respondent

For Applicants : Mr. Neeraj Mehta, Advocate

For Respondent/State : Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

19.01.2021

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 23.07.2020 in connection with Crime No.136/2020 registered at Police Station- Rajpur, District Balrampur-Ramanujganj for the offence punishable under Sections 302, 201, 120-B, 34 of Indian Penal Code.
2. According to the prosecution, in between 30.06.2020 to 01.07.2020 both the applicants have killed one Ranjit by strangulation, thereafter, reported that he committed suicide.
3. Learned counsel for the applicants would submit that only things against the applicant No.1 is memorandum, the statement and last seen theory which has been deposed by Bimli Cherva, the mother and Dev Kumar has only deposed that some quarrel took place, therefore, the applicants are innocent person.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Read out the statement of Dev Kumar & Bimli Cherva. He submits that incident are reported by accused No.1 that the deceased committed suicide by hanging, however, it was found to be strangled. Perused the statement, case diary and the merged intimation made by Baldhari which appears to be hearsay. Perused the other statement made by Dev Kumar & Chandrashekhar Cherva and last seen theory against the applicants. Considering the nature of evidence, without any observation on merit, I am inclined to release the applicants on bail.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Goutam Bhaduri)
Judge

Ashok