

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6574 of 2021**

- Jeetu Lahre @ Jeet S/o Shri Santuram Lahre Aged About 22 Years R/o Jai Jawan Chowk Ravigram, P/s Telibandha, District - Raipur C.G., Civil And Revenue District - Raipur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through : Police Station - Telibandha, District - Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Ajay Mishra, Advocate.
For Respondent/State : Mr. Raghvendra Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23/09/2021**

1. The accused/applicant has moved this **second bail application** under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 571/2019 registered at Police Station - Telibandha, District - Raipur (C.G.) for the offence punishable under Sections 307, 201 and 302 of the IPC.
2. On 25.06.2020, the first bail application of the applicant was dismissed as withdrawn with liberty to renew the bail application after examination of material witnesses.
3. As per the prosecution case, complainant Hemant Ben lodged a report that on 08.12.2019 about 7:30 pm., at Jai Jawan Chowk, one unknown person knocked the door of the present applicant and enquired about some address, it is alleged that the applicant attacked on him and injured to the deceased, thereafter deceased was died on 15.12.2019, during treatment.
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 all independent prosecution witnesses and eye-witnesses have not supported the case of the prosecution before trial Court and the applicant is in jail since 09.12.2019, 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 submits that the applicant did a serious offence, therefore, the applicant may not be released on bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and situation of the case, taking into consideration that the all independent prosecution witnesses and eye-witnesses have not supported the case of the prosecution before trial Court and that the applicant is in custody since 09.12.2019, 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)
Judge**