

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7897 of 2020**

- Mahesh Kumar S/o Late Gariba Ram Aged About 45 Years Cast Ghasi R/o Village Khaddhova, Police Station Batauli, District Surguja Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Batauli, District Surguja Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Sanjay Pathak, Advocate.

For Non-Applicant : Shri Ayaz Naved, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****21/01/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.83/2020 registered in Police Station Batauli, District Surguja for offence under Section 302 and 201 of the IPC.
2. The applicant has allegedly committed murder of deceased Gulabi Bai, aged about 70 years, during the period 4-5 pm of 30.9.2020 till the morning of 1.10.2020.
3. There is no eyewitness to the crime. There is no witness either of extra judicial confession or last seen together. One Kailash claims to have

seen the applicant returning from near the house of the deceased in the evening of 30.9.2020. However, he is not saying that he saw the accused in the company of the deceased on the date of the incident. Similarly, one witness Sonsai, relative of the deceased, raised doubt over the applicant but has not seen the occurrence. Although on the applicant's memorandum statement blood stained iron tabbal has been recovered but there is no report of FSL finding that the weapon was stained with same blood group as that of the deceased.

4. Considering the quality of evidence, I am inclined to release the applicant on bail.
5. Accordingly, the 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/-
Judge
(Prashant Kumar Mishra)