

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7791 of 2020**

- Sitambar Yadav S/o Sukhdev, Aged About 50 Years R/o Village Dongridih, Police Station And Tahsil Malkharauda, District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through District Magistrate Janjgir Champa (Chhattisgarh) Through Police Station Malkharauda, District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant	Mr. Deepak Kumar Singh, Advocate
For Respondent /State	Mr. Ayaz Naved, Government Advocate

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****3/2/2021**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.52/2019 registered at Police Station Malkharauda, District Janjgir-Champa (CG) for the offence punishable under Section 302/34 of the IPC.
3. Applicant Sitambar Yadav and co-accused Pritambar Yadav have committed murder of their brother Mulchand at about 6:00 p.m.

on 12.2.2019. The accused persons have been sent for trial mainly on the eye-witness account rendered to the Police by Raja Yadav (PW-2), however, he had turned hostile during trial. Another eye-witness Neha narrates the instances which preceded just before the final assault. It appears, the accused persons as well as the deceased were heavily drunk and in a state of intoxication at the time of the incident.

4. Considering the nature of evidence and particularity the deposition of Raja Yadav (PW-2) and for the fact that the applicant is in jail since last about 2 years i.e. from 13.2.2019, I am inclined to release the applicant on regular bail.
5. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in 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.
6. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge