

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8224 of 2020**

1. Amar Verma, S/o Ramkrishna Verma, Aged About 28 Years, R/o Village- Kesda, Thana- Simga, District- Baloda Bazar-Bhatapara, Chhattisgarh.
2. Ramkrishna Verma, S/o Chaituram Verma, Aged About 45 Years, R/o Village- Kesda, Thana- Simga, District- Baloda Bazar-Bhatapara, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through- Police- Station- Simga, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Y.C. Sharma on behalf of Mr. Samir Singh, Adv.
For Respondent/State	: Mr. Devesh Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****31.03.2021**

1. The accused/applicants have moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 218/2020 registered at Police Station Simga, District- Balodabazar-Bhatapara, (C.G.) for the offence punishable under Sections 307, 302, 201/34 of I.P.C.
2. The prosecution story, in brief is that, on 14.07.2020 at about 10:30 PM, some unknown persons entered the house of the deceased and assaulted him with hard weapon with an intention to kill him. Thereafter, deceased had died. Thereafter, offence has been registered against the present applicants.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that all the independent prosecution

witnesses have been examined and they have not supported the prosecution case before trial Court and turned hostile. The applicants are in jail since 16.07.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application. It is submitted that the offence committed by the applicants is of serious in nature, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the records.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that all the independent prosecution witnesses have been examined and they have not supported the prosecution case before trial Court and turned hostile. The applicants are in jail since 16.07.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety 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 to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**