

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8728 of 2020**

- Prakash Kodaku S/o Heeraman Kodaku Aged About 40 Years Resident Of Village Lolki Joda Sarai Para, Police Station And Tahsil Pratappur , District Surajpur Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Pratappur , District Surajpur Chhattisgarh

---- Respondent

For Applicant	Mr. Rahul K. Mishra, Advocate
For Respondent /State	Mr. Chandresh Shrivastava, Dy. AG

Proceedings through Video Conferencing**SB.: Hon'ble Mr. Prashant Kumar Mishra, Ag. CJ****Order On Board****25/6/2021**

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.95/2020 registered at Police Station Pratappur, District Surajpur (CG) for the offence punishable under Section 302 of the IPC.
3. The applicant has allegedly committed murder of his wife Sushma Kodaku. There are four eye-witnesses namely Sangeeta, Belasius

Kodaku, Hulaso Bai and Harihar. Out of the four, three eye-witnesses have already been examined. PW-2 Anudhiraj, S/o of the deceased and the present applicant has also been examined. Although the eye-witnesses have informed the Police that the applicant has assaulted the deceased but at the same time, there is material on record that the deceased was drunk at the time of the incident and her son Anudhiraj brought her to the house. The above witnesses, who have been examined so far during trial, are not supporting the prosecution.

4. Considering that the applicant is in jail since last more than one year and the state of evidence on record, I am inclined to release the applicant on regular bail.
5. Accordingly, the 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.

Certified copy as per rules

Sd/-

(Prashant Kumar Mishra)

Acting Chief Justice