

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8163 of 2021

1. Munshiram Patel S/o Hari Singh Patel Aged About 65 Years R/o Village Gahira Tola, Police Station Khairagarh, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh.
2. Lala Ram Matre S/o Dewal Singh Aged About 45 Years R/o Village Kaniya , Police Station Birsa, District Balaghat , Madhya Pradesh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Khairagarh, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent.

For Applicant : Mr. Siddharth Pandey, Advocate.

For Respondent/State : Ms. Ghanshyam Patel, GA.

Hon'ble Smt. Justice Rajni Dubey
Order On Board

01.11.2021

This first application under Section 439 of the Code of Criminal Procedure has been filed by the accused/applicants, who are languishing in jail since 25.09.2021 in connection with Crime No. 369/2021 registered at Police Station Khairagarh, District Rajnandgaon for the offence punishable under Section 304/34 IPC.

2. The prosecution case in nutshell is that on 24.09.2021 when deceased Hemlal Verma was returning home after sprinkling insecticide and as soon as he stepped in the field of the accused/applicant No.1, he came into contact with live electric wire and thus got electrocuted.

3. Learned counsel for the applicants submits that the applicants have been roped in a false and fabricated case and therefore, they may be set at liberty by granting bail. He submits that the applicants would abide by all terms and conditions imposed on them while granting bail.

4. Learned State counsel however puts forth his vehement opposition to the prayer for bail.

5. Having heard counsel for the parties, taken into consideration the facts and circumstances of the case and also keeping in mind the allegations made, this Court is of the opinion that the accused/applicants are entitled for bail. Accordingly, the application is **allowed** and it is directed that on applicants' furnishing a personal bond in the sum of Rs.25,000/- with one solvent surety each to the satisfaction of the concerned Court, they shall be released on bail. The applicants however, shall ensure their appearance before the trial Court as and when so directed, till the disposal of the case. Order accordingly.

Sd/-

(Rajni Dubey)
Judge