

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1420 of 2015**

- Amir Das, son of Ramdas, aged about 23 years, Caste Mahant, R/o Village Tulsi (Mukti Dham), Police Station Nawagarh, Civil & Revenue District Janjgir-Champa Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through : Station House Officer, Police Station Kunkuri, District Jashpur Chhattisgarh

---- Non-applicant

For Applicant:	Shri U.K. S. Chandel, Advocate
For Respondent/State:	Shri Om. P. Sahu, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**C A V Order****14/08/2015**

Heard.

(1) This is an applicant filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.166/2014 registered at Police Station Kunkuri, District Jashpur, Chhattisgarh, for the offence punishable under Sections 302 & 427 of the Indian Penal Code.

(2) Case of the prosecution is that on 21.11.2014 applicant is said to have murdered constable Narendra Kumar Singh (since deceased) by his vehicle and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the offence in question, in fact, it is a case of rash and negligent driving of

the applicant and at the most offence under Section 304 IPC is made against the applicant. He further submits that the applicant is in jail since 25.11.2014; and the charge sheet has already been filed, no useful purpose would be served in detaining him in jail and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State submits that it is a case of murder, which is apparent from the statement of Arvind Kewat & Parmand Kunwar and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; further considering the nature and gravity of the offence and taking into prosecution witnesses Arvind Kewat, Khalashi of the Truck, which is said to have been driven by present applicant and the statement of Parmanand Kunwar and the manner in which the death of Narendra Kumar Singh is said to have been caused by the applicant, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-