

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2522 of 2015

Sonu Nihal S/o Varun Nihal Aged About 38 years R/O Behind Sindhi
Dharmashala, Katora Talab Presently residing at Near Phunder
Kalamanch, Sahujis House , P.S. Telibandha, Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Police Station : New Rajendra Nagar
Raipur Chhattisgarh

---- Non-applicant

For Applicant/s	:	Shri N. Naha Roy, Advocate.
For non-applicant / State	:	Shri Ashish Shukla, Govt. Adv.

Order On Board

29/06/2015

Heard.

2. The applicant has been arrested on 01/06/11 in connection with Crime No.46/2014 registered at Police Station – New Rajendra Nagar, District- Raipur, CG for alleged commission of offence under Section 294, 323, 302 of IPC.

3. Case of the prosecution is that the applicant assaulted the deceased resulting in his death.

4. Learned counsel for the applicant submits that the prosecution evidence which has so far been brought on record does not connect the applicant with the alleged offence and it is merely on conjecture and surmise. It is submitted

that only on the basis of vague and oral dying declaration, it hardly connects the applicant with the alleged offence and he is the person who was driving the vehicle.

5. On the other hand, learned State counsel submits that at present the trial is going on and many important witnesses including the Investigating Officer are yet to be examined. Therefore, he may not be granted bail.

6. Taking into consideration the nature of allegations, I am not inclined to grant bail to the applicant. The application is accordingly rejected.

Sd/-

(Manindra Mohan Shrivastava)

JUDGE