

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3267 of 2015

Bhisham Baghel S/o Bhagirathi Baghel aged about 40 years R/o
Mungadih, Police Station Basna, posted at Scheduled Tribe Girls
Hostel, Udela Civil & Revenue District Mahasamund Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh Through : Station House Officer, Police Of Police
Station - Basna, District Mahasamund Chhattisgarh

---- Respondent

For Applicant	:	Shri Kishore Narayan, Advocate
For Respondent/State	:	Shri Ravindra Agrawal, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

22/07/2015

This is the second bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who was arrested on 11.05.2014 in connection with Crime No. 153/2014 registered at P.S. Basna, Dist. Mahasamund for the offence punishable under Sections 307, 302, 34 of IPC and 25 & 27 of Arms Act.

The first bail application of the applicant was rejected by this Court on merit vide order dated 09.09.2014 in M.Cr.C. No.4439 of 2014.

Counsel for the applicant submits that the repeat bail application has been filed only on the ground that some of the eye witnesses have not supported the case of the prosecution and turned hostile.

However, State counsel opposing the bail application submits that the daughters of the deceased who were travelling along with the deceased when the assault took place have supported the case of the prosecution and have also stated regarding the presence of the applicant at the place of incident.

Taking into consideration the total facts and circumstances of the case, this Court is not inclined to release the applicant on bail at this stage.

Accordingly, the application for grant of bail is rejected.

Sd/-

**(P Sam Koshy)
Judge**