

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3246 of 2015

- Kishan Sahu S/o Late Bharosa Ram Sahu Aged About 51 years
R/o Village Gobra, Police Station Kurud In District Dhamtari
Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Kurud,
District Dhamtari Chhattisgarh.

---- Non-Applicant

For Applicant:	Shri Somnath Verma, Advocate.
For Non-Applicant/State:	Shri Neeraj Jain, Govt. Advocate for the State.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/07/2015

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 11/2015 registered at Police Station Kurud, District Dhamtari for the offences punishable under Sections 302/34 & 201/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is alleged to have murdered one Gokul Yadav in between 05/01/2015 to 08/01/2015 and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the crime in question as he has not committed any offence. He further submits that applicant is in jail since 10.01.2015 and, therefore, he may be released on bail.

(4) On the other hand, counsel for the State submits that there are four eye witnesses namely Basan Bai, Kumudini Bai, Gulab Yadav & Shrawan Kumar Chandra have witnessed the incident and seen the applicant & other co-accused person to commit offence by sharp edged weapon i.e. blade and, thereby, committed the aforesaid offences.

(5) Taking into consideration the facts & circumstances of the case and the manner in which applicant along with other co-accused persons have allegedly murdered Gokul Yadav by sharp edged weapon and also caused disappearance of the evidence, 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/-