

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3980 OF 2015**

Ram Kumar Minj son of Peter Minj, aged about 18 years, resident of Urdna Basti, Police Station-Kotwali, Raigarh, Tahsil and District Raigarh (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station-Chakradharnagar, District Raigarh (C.G.)

---Non-applicant

For Applicant	:	Mr. Varunendra Mishra, Advocate.
For-Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/08/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 530/2013, registered at Police Station Chakradharnagar, District Raigarh (C.G.), for the offence punishable under Sections 307, 302 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, applicant is said to have committed murder of deceased Fuleshwari Bai on 02/11/2013 by stone and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that three prosecution witnesses have been examined and they have not supported the case of the prosecution. He would lastly submit that applicant is in jail since 08/11/2014, therefore, he may

be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that on the memorandum statement of the present applicant, recovery of stone has been made.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; material collected by the prosecution and the manner, in which, Fuleshwari Bai is alleged to have been murdered, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE