

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4150 OF 2015**

Komal Verma, son of Lakhan Verma, Caste Kurmi, aged about 43 years, resident of Semariya, Police Station Nandghat, Civil and Revenue District Bemetara, Chhattisgarh.

---Applicant**Versus**

The State of Chhattisgarh, Through: Station House Officer, Police Station Nandghat, District Bemetara, Chhattisgarh.

---Non-applicant

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

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****19/08/2015**

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. 70/2014 registered at Police Station Nandghat, District Bemetara (C.G.), for the offence punishable under Sections 302, 201, 120B, 34 of I.P.C.

2. Case of the prosecution, in brief, is that, on 16/03/2014 applicant along with one co-accused person are alleged to have murdered Dashrath Nishad by running Tractor over the deceased.

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 deceased was seen along with co-accused Narendra Sharma. He would further submit that no useful purpose

would be served by keeping him in jail. He would lastly submit that charge sheet has been filed and applicant is in jail since 21/03/2014, 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 present applicant caused death of deceased by running Tractor over his body and twelve witnesses have already been examined.

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; role of the present applicant in offence in question and also considering the fact that twelve witnesses have already been examined, 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. However, trial Court is directed to expedite the trial and decide the case as early as possible.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE