

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C. No. 3189 of 2015**

- Chhotu @ Virendra Kumar Lonia s/o. Shri Lavkumar Lonia, aged 24 years (approximately), r/o. village Lonia Para, Ghutaku Post Office Ghutaku, Police Station Koni, Tehsil and District Bilaspur (CG).

---- Applicant

**Versus**

- State Of Chhattisgarh Through: P.S. Chakarbhata, Bilaspur (CG).

---- Respondent

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| For Applicant        | : | Mr. K.R. Loniya, Advocate.       |
| For Respondent/State | : | Mr. Aditya Sharma, Panel Lawyer. |

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**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order on Board**

**16/7/2015**

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 23-1-2015 in connection with Crime No. 19 of 2015 registered at Police Station Chakarbhata, Bilaspur (CG), for the offence punishable under Sections 302, 459, 120 (B), 34 of IPC.
2. The case of the prosecution, in brief, is that the present applicant along with other two co-accused person Rajat Lonia at the instance of Malti Lonia hired Chiranjit Kumar for contract killing and murdered Annu Shukla on 20-1-2015 and thereby committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case. He would further submit that neither there is eye-witness to the incident nor circumstantial evidence to connect the present with the crime in question, motor-cycle has not been seized from the possession of the present applicant. He would further submit that charge-sheet has been filed, he is in jail since 23-1-2015 and no useful purpose would be served by detaining him in jail, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposing the bail application would submit co-accused Rajat Lonia and Malati Lonia contacted Chitranjit Mandal for contract killing and Rs.1,00,000/- was paid to the present applicant to disburse the amount amongst co-accused persons and they have murdered deceased Annu Shukla. He would further submit that Rs.70,000/- has been recovered from the present applicant and there is sufficient evidence to connect the present applicant with the crime in question, therefore, he is not entitled to be released on bail.
5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration all the facts and circumstances of the case, nature and gravity of the offence, the manner in which the applicant along with other co-accused persons is alleged to have murdered the deceased on being hired by the co-accused, I am of the considered opinion that *prima facie* it is not a fit case where the applicant can be released on bail.
7. Accordingly, the instant bail application is liable to be and is hereby rejected.

Sd/-  
(Sanjay K. Agrawal)  
Judge