

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3056 of 2015

Rohit, S/o Shri Chaitram Yadav, aged about 54 years, R/o Village Khuteri,
P.S. Ranchirai, Civil and Revenue District Balod (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through District Magistrate, Balod, Civil and Revenue
District Balod (C.G.)

---- Non-applicant

For Applicant:	Mr. Amiyakant Tiwari, Advocate.
For Non-applicant:	Mr. Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

12/08/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.86/2014 (ST No.77/2014 pending in the Court of 2nd Additional Sessions Judge, Balod) registered at Police Station Ranchirai, Distt. Balod, for the offence punishable under Sections 302 read with Section 34, 120B, 450 and 382 of the IPC.
2. This is the second bail application filed on behalf of the applicant for grant of regular bail. First bail application has been dismissed as withdrawn with liberty to file after examination of material prosecution witnesses vide order dated 1-12-2014 passed by this Court in M.Cr.C.No.6275/2014.
3. Case of the prosecution, in brief, is that on 24-7-2014, the applicant along with two other accused persons is said to have committed murder of Dhiraji Ram and Jhariyarin Bai.
4. Learned counsel for the applicant submits that 15 witnesses have been examined and they have not supported the case of the prosecution. Witness No.10 Samelal Sahu, witness of seizure and memorandum, has also turned hostile and the prosecution has declared him hostile. Umendra Ram (PW-

11) has also turned hostile.

5. Taking into consideration the nature and gravity of offence, material collected by the prosecution, after going through the testimonies of 15 prosecution witnesses and taking into consideration the fact that it is a case of murder of two persons by the applicant and other co-accused, I do not find any case for grant of regular bail to the applicant. The application is, therefore, rejected.

Sd/-
(Sanjay K. Agrawal)
Judge