

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6050 of 2015**

Govind Vastrakar, S/o late Bhagbali Vastrakar, aged about 35 years, Occupation Service, R/o Near Pani Tanki, Santoshi Nagar, Khamtarai, P.S. Khamtarai, Civil & Revenue District Raipur.
---- Applicants

Versus

State of Chhattisgarh, through Police Station Khamtarai, District Raipur.
---- Non-applicant

For Applicant : Shri Arun Kochar, Advocate
 For Non-applicant: Shri Dilman Rati Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

10/12/2015

(1) Heard.

(2) This is the third bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.133/2015 registered at Police Station Khamtarai, District Raipur, for the offence punishable under Section 302 of the Indian Penal Code.

(3) The first and second bail applications of the applicant were dismissed as withdrawn by order of this Court dated 11.08.2015 passed in M.Cr.C. No.3818/2015 and dated 07.10.2015 passed in M.Cr.C. No.5459/2015.

(4) Learned counsel appearing for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime in question as there is no evidence against the present applicant. He further submits that the applicant is in jail since

18.04.2015 and therefore, he may be released on bail.

(5) On the other hand, learned counsel appearing for the State opposes for grant of bail to the applicant.

(6) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(7) After hearing learned counsel appearing of the parties, taking into consideration the facts and circumstances of the case, nature and gravity of the offence and the facts that the evidence material collected by the prosecution and available in the case diary, I do not consider it is a fit case to release the applicant on regular bail.

(8) Accordingly, the third bail application filed under Section 439 of the Cr.P.C. is dismissed.

(9) Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-