

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5000 of 2015**

- Keshaw Ram Dewangan, S/o. Baiha Ram Dewangan, aged about 52 years, R/o. Village Khamaria, Police Station Nandghat, District Bemetara (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: Police Station-Nandghat, District Bemetara (C.G.)

---- Non-applicant

For Applicant: Mr. Bhaskar Pyashi, Advocate.

For Non-applicant/State: Mr. Anil S. Pandey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/10/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 266/2014 registered at Police Station Nandghat, District Bemetara for the offences punishable under Sections 449, 397, 302 & 201 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant has caused death of Gajra Bai and also looted Rs. 50,000/- from her

and thereby committed the aforesaid offence.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has not committed any offence and even the applicant has not been named in the FIR. He further submits that applicant is in jail since 27.05.2015 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State submits that on the basis of memorandum statement of applicant, iron hammer and other objectionable articles have been seized from the possession of the applicant and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the nature and gravity of the offence and the manner in which the Hema bai (deceased) is said to have been murdered by the applicant and consequent recovery of incriminating articles from the applicant; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-