

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C No. 5563 of 2015**

Ajay Shrivastava @ Polu, son of Shri Rajulal Shrivastava, aged about 19 years, R/o. Lodhi Muhalla, Behind Venketeshwar Talkies, Ward No. 03, Supela, Bhilai, Tahsil and District Durg (C.G.)

---- Applicants

Versus

State Of Chhattisgarh Through : The District Magistrate, Durg, District Durg (C.G.)

---- Non-applicant

For Applicant:	Mr. Jitendra Gupta, Advocate.
For Respondent/State:	Mr. R.K. Mishra, Deputy Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/10/2015**

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. 423/2015 registered at Police Station Supela, District Durg for the offence punishable under Section 302/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that in the intervening night of 18-06-2015 to 19-06-2015 applicant & other co-accused persons murdered deceased Ravi Radke and thereby committed

the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as there is no evidence on record to connect the applicant with the crime in question and on the basis of memorandum statement of co-accused Munnu, the applicant has been implicated in the offence in question. He further submits that the applicant is in jail since 21.06.2015 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) Taking into consideration the facts & circumstances of the case; and the manner in which deceased Ravi Radke is said to be murdered by the applicant & other co-accused persons and the other material collected by the prosecution; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-