

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 532 OF 2016**

Kumari Malti Loniya D/o Shri Dukhiram Loniya, Aged about 24 years, R/o Village Ghutku P.S. Koni Distt. Bilaspur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Police Station Chakarbhata Distt. Bilaspur.

---Non-applicant

For Applicant	:	Mr. Dheerendra Pandey, Advocate
For-Non-applicant	:	Mr. Dheeraj Wankhede, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/02/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 19/2015, registered at Police Station Chakarbhata Distt. Bilaspur (C.G.), for the offence punishable under Sections 302, 459, 120 (B) of I.P.C.

2. Case of the prosecution, in brief, is that, on 21/01/2015 applicant along with other four co-accused persons murdered Smt. Annu Shukla and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in crime in question. He would further submit that it is case of no evidence and the memorandum of the applicant is not reliable. He would further submit that applicant is in jail since 21/01/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that applicant is main accused who has hired shooter/co-accused and also paid Rs. 1,00,000/- to him in conspiracy with other accused persons and seizure has also been made from the present applicant.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and

circumstances of the case; further taking into consideration the nature and gravity of offence; act of the applicant in hiring the service of co-accused for killing the deceased and made payment of Rs. 1,00,000/- and the evidence available on the case diary, I am not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge