

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 757 OF 2016**

Digesh Kumar Sahu S/o Ishwar Lal Sahu, aged about 25 years, R/o Village-Gathula, Chauki-Chikhli, Thana-Kotwali, Distt.Rajnandgaon (CG)

---Applicant**Versus**

State of Chhattisgarh Through: Thana-Kotwali, Distt.Rajnandgaon (CG)

---Non-applicant

For Applicant	:	Mr. Samir Singh, Advocate.
For-Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/02/2016**

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. 439/2015, registered at Police Station-Kotwali, District-Rajnandgaon (CG), for the offence punishable under Section 302 of the IPC.

2. Case of the prosecution, in brief, is that, on 4.7.2015 the applicant murdered his father by iron rod and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that ten witnesses have already been examined and they have not supported the case of

prosecution. The applicant is in jail since 5.7.2015 and trial is on advance stage, therefore, he may be released on regular bail.

4. Learned State counsel would oppose the prayer for grant of bail.

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

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; material brought on record and the manner in which the applicant is said to have been committed murder of his father, this Court is 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

B/-