

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.912 of 2016

1. Haldhar, S/o Keshav Yadav, Caste Mahkul, aged about 40 years,
2. Keshav Yadav, S/o late Ratan Yadav, aged about 60 years, Caste Mahkul,

Both are R/o Village Dongbandhi, Police Station Tumla, District Jashpur (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Tumla, District Jashpur (C.G.)

---- Non-applicant

For Applicants:	Mr. Harish Khuntiya, Advocate.
For Non-applicant:	Mr. Dheeraj Kumar Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

02/03/2016

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.45/2015, registered at Police Station Tumla, Distt. Jashpur, for the offence punishable under Sections 294, 506 Part-II, 323, 307 and 302 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicants and two other co-accused assaulted Dugdhar Yadav by lathi and axe by which he suffered grievous injuries and succumbed to death.
3. Learned counsel for the applicants submits that the applicants have not committed any offence and they have been falsely implicated in the case. There is no evidence to connect the applicants with the offence in question. Charge-sheet has been filed and the applicants

are in jail since 27-6-2015.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case and consequent recovery upon the memorandum statement of the accused, I do not consider it a fit case for grant of bail to the applicants. The application is, therefore, rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma