

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4909 of 2016

- Suresh Chouhan S/o Raju Chouhan Aged About 32 Years Occupation Laborer, R/o Sonumuda Nawapara Raigarh, Tah. & District Raigarh Civil & Rev. Distt. Raigarh Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through City Kotwali, Raigarh Chhattisgarh.

---- Respondent

For the applicant	:	Mr. Rajendra Tripathi, Advocate.
For the Respondent	:	Mr. Anant Bajpai, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 1006/2009 registered at P.S. City Kotwali, Distt. Raigarh (C.G) for the offence punishable u/s 307 IPC.
2. As per the prosecution case, on 20.12.2009 the applicant stabbed Mukesh Kumar Dadsena by means of a sword and thereafter he absconded and in his absence the charge sheet was filed on 18.06.2010 and in execution of arrest warrant, the applicant was arrested on 19.04.2016.
3. Learned counsel for the applicant submits that the applicant had gone out outside for earning his livelihood and the non-appearance was not deliberate. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of victim as also the eye-witness.

Also perused the joint report of the local residents of the area wherein they have stated that the mother of applicant used to extend threats that if someone comes forward to give evidence, he/they will face dire consequences.

6. Considering the nature of offence and the facts situation of the case, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE