

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7313 of 2015

1. Chandrapal Singh Pulsat, S/o Milap Singh, Aged About 19 Years,
R/o Sighiya Mudadhowa, Nawapara, Thana - Katghora, Distt. -
Korba, Chhattisgarh
2. Indrapal Singh Pulsat, S/o Milap Singh, Aged About 21 Years, R/o
Sighiya Mudadhowa, Nawapara, Thana - Katghora, Distt. - Korba
Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through : District Magistrate Korba, Distt.
Korba, Chhattisgarh

---- Respondent

For Applicants : Mr. R.S.Patel, Advocate

For Respondent : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.01.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.204/2015, registered at Police Station– Katghora, District Korba (C.G.) for the offence punishable under Section 302, 201/34 of IPC.
2. Case of the prosecution, in brief, is that a report was made by the complainant that dead body of Sanjay Kumar was found on 29.08.2015 in the Well and the allegation was that the applicants caused assault to the deceased Sanjay Kumar and thereafter threw the dead body into the Well.

3. Learned counsel for the applicants submits that no evidence is present against these applicants and only on the suspicion they have been arrested.
4. Per contra, learned State counsel opposes the prayer for grant of bail and he would submit that the eye-witness is the sister of the applicants namely Chandrama Pulsat who has supported the case of the prosecution that the deceased was beaten severely by the applicants.
5. Perused the case diary and the statement of the sister of applicants. Having regard to the statement of the sister of the applicants, I am not inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge