

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 66 of 2016

Bhagwat Prasad Chandra S/o Ramcharan Chandra Aged About 38 Years Caste Chandra, R/o Village Bhothidih, Tahsil Jaijaipur, Distt. Janjgir Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Janjgir, Distt. Janjgir-Champa, Chhattisgarh.

---- Respondent

For applicant - Shri Gurudev I Sharan, Advocate.

For Respondent/State – Shri Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 618/2015 registered in Police Station Janjgir, District Janjgir-Champa (C.G.) for offence punishable under section 302, 120 B/34 of Indian Penal Code.

2. As per the prosecution case one of the brother of applicant namely Babulal was married to Urmila they were not going along, therefore said Babulal brother of the applicant came to Raigarh and thereafter they in the car of the applicant went to Janjgir from Raigarh and asked his brother to keep the car in start mode and thereafter Babulal brother of the applicant went inside the house of Urmila throttled her came back in the car and subsequently went back to his place of posting.

3. Learned counsel for the applicant submits that no evidence is available against this applicant, the entire allegations are attributed to Babulal and this applicant is resident of Raigarh, therefore, the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and

submits that in the car of the applicant the other co-accused Babulal travelled from Raigarh to Janjgir which is 100 kms and thereafter co-accused Babulal has caused death. He further submits that matter is being investigated and certain evidence are required, therefore the applicant may not be enlarged on bail.

5. I have perused the case diary and memorandum of the applicant also. Primary evidence collected shows that in the car of the applicant they travelled from Raigarh to Janjgir and thereafter Babulal other brother of the applicant has committed murder of his wife. Considering the primary evidence so collected by the prosecution, taking into fact that matter is still under investigation, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE