

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 916 of 2016**

Bhupendra Kumar Vatti, S/o Somlal Vatti, aged about 19 years, R/o Village : Umarwahi, Police Station Dongargaon, District Rajnandgaon (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through – Station House Officer, Police Station- Dongargaon, District Rajnandgaon (C.G.)

-----Non-applicant

For Applicant: Mr. Abhishek Sharma, Advocate.
For Respondent/State: Mr. O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****08/03/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 292/2015 registered at Police Station Dongargaon, District Rajnandgaon (C.G.) for the offences punishable under Sections 302,201,147,149 & 120-B of Indian Penal Code and Section 3(2) (V) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.

(2) Case of the prosecution, in brief, is that on 7-10-2015, the applicant along with several other co-accused persons murdered Chaitram Gond by strangulation and thereby committed the offence.

(3) Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case, his case is identical to that of Prakash Yadav and Noklal Jangde, who have been enlarged on bail by a coordinate Bench of this Court in M.Cr.C. No.232/2016 on 27-1-2016 and as such, he is in jail since 13.10. 2015 and no useful purpose will be served by keeping him in jail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the nature and gravity of offence, facts and circumstances of the case, the manner in which Chaitram Gond was strangled by the applicant along with other co-accused persons on some dispute, evidence available in the case diary against the applicant and his case being distinguishable from the case of Prakash Yadav and Noklal Jangde, I do not consider it a fit case for grant of bail to the applicant. The applicant is, therefore, rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-