

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 971 of 2016**

1. Manoj Kumar S/o Balduram Sahu, aged about 65 years,
2. Kachra Bai, W/o Manoj Kumar Sahu, aged about 60 years.
3. Bhuwan Bai, W/o Ashok Kumar Sahu, aged about 37 years.

All are R/o village Banahil, Police Station Bailaigarh, District Baloda Bazar

---- Applicant

Versus

State Of Chhattisgarh: Through Station House Officer,
Police of Police Station – Bilaigarh, District Baloda Bazar
(C.G.)

-----Non-applicant

For Applicant: Mr. T.K. Jha, Advocate.
For Non-applicant/State: Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****14/03/2016**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 189/2015 registered at Police Station Bilaigarh, District Baloda Bazar for the offences punishable under Sections 294,148,323,324,302 r/w 149 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989.

(2) Case of the prosecution in brief is that applicant & two other co-accused persons have murdered on Chanda Bai on

19.06.2015 at 5.30 pm and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he is nothing to do with the same; applicant is in jail since 20.06.2015; charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State while referring the statement of Firturam, husband of the deceased, would submit that the applicants have actively participated in the offence in question and, therefore, he is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; nature & gravity of the offence; role of the applicants in the offence in question; and the manner in which the applicants are said to have murdered the deceased and taking into account the statement of the witnesses, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-