

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2416 of 2016

Roshan Sahu S/o Fudru Sahu Aged About 24 Years R/o Village
Rani Charaud, P.S. Suhela, Tahsil Simga, District Baloda Bazar-
Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Suhela, District
Baloda Bazar-Bhatapara, Chhattisgarh.

---- Respondent

For applicant - Shri Goutam Khetrapal and Shri P.K. Patel, Advocate.
For Respondent/State – Shri Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/06/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 147/2015 registered in Police Station Suhela, District Baloda Bazar-Bhatapara (C.G.) for offence punishable under sections 302, 201 and 120(B) of Indian Penal Code, 1860.
2. As per the prosecution case one Sukhiya Sahu died on 7/11/2015 and the applicant who is grandson of said Sukhiya Sahu had a dispute over the distribution of land and as such on 7/11/2015 the applicant along with other co-accused committed murder of Sukhiya Sahu and threw dead body in the pond and on the next day one Footru Sahu reported the matter as the dead body was floating on the pond.
3. Learned counsel for the applicant submits that entire suspicion would go to Footru Sahu who himself has reported the incident. He further submits that dead body was found at his instance and only on the memorandum the applicant cannot be implicated and the deceased was

residing along with Footru Sahu who reported the merg, therefore the applicant may be released on bail.

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

5. I have perused the statement, the documents and the memorandum also. Merg statement shows that dead body while was floating it was reported by Footru Sahu. It is not a case dead body was submerged in the pond. Taking into statement of Krishna Kumar Verma and Malik Ram Chaturvedi under Section 164 of Cr.P.C they have stated that confession was made by the applicant and acceptance of the same has to be adjudicated during trial. Considering the statement, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE