

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1592 of 2016

Bhim Kumar, S/o Shree Shiv Prasad Pando, aged about 20 years, R/o Village Agirama, P.S. Jainagar, District Surajpur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through P.S. Chrimiri, Baikunthpur, District Korea (C.G.)

---- Non-applicant

For Applicant:	Mr. Pragalbha Sharma, Advocate.
For Non-applicant:	Mr. Adhiraj Surana, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

16/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.558/2012, registered at Police Station Chirmiri, Baikunthpur, Distt. Korea, for the offence punishable under Sections 302, 201 and 120B of the IPC.
2. Case of the prosecution, in brief, is that in the intervening night of 22nd and 23rd November, 2012, the applicant and three other accused persons murdered Supriyo Majumdar by axe 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, he is in jail since 27-11-2012 and therefore, he be released on bail. There is no evidence against the applicant and even in the evidence recorded, there is no trace of guilt of the present applicant.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, overt-act of the applicant and the manner in which the murder is said to have been caused in a planned manner, I am of the view that it is not a fit case to enlarge the applicant on regular bail. The application is, therefore, rejected.

Sd/-
(Sanjay K. Agrawal)
Judge