

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3308 of 2016

1. Khemshanker @ Manglu Yadav, S/o. Arjun Yadav, aged about 50 years, R/o. Village – Bansjor, Police Station & Tahsil Dharamjaigarh, District : Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Dharamjaigarh, District – Raigarh (C.G.)

---- Respondent

For Applicant : Mr. Amit Singh, Advocate

For Respondent/State : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/07/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.314/2015, registered at Police Station – Dharamjaigarh, District- Raigarh (C.G.) for the offence punishable under Section 302, 201, 34 of the Excise Act.
2. Case of the prosecution, in brief, is that one Badal Malik was missing. Subsequently on investigation being made, it was found that the deceased had relation with the daughter of the applicant, therefore, he was murdered and his body was thrown. Subsequently at the instance of the applicant, body of the deceased was

recovered from the forest.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no evidence is available against him. He further submits that investigation is completed and the applicant is in jail since 22.10.2015, therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the statement. On the memorandum of this applicant, dead body was recovered from the forest. Considering such recovery made, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge