

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7699 of 2015

1. Kamleshwar Bhagat, S/o. Dhepa Bhagat, aged about 57 years, Caste-Uraon, R/o. Bardand, Police Station – Narayanpur, Tahsil-Kunkuri, District – Jashpur (C.G.)

----Applicant

Versus

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

---- Respondent

For Applicant : Mr. J.K. Saxena, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/01/2016

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.120/2015, registered at Police Station – Tapkara, District – Jashpur (C.G.) for the offence punishable under Section 302 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant on 27.08.2015 has committed murder of his wife Maleriya Kujur and thereafter it was found that the death was homicidal in nature.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that there is no eye-witness in this case. He would further submit that charge-sheet in this case has been filed and the applicant is in jail since 28.08.2015, therefore, the counsel prays that 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 and perused the case diary.
6. I have perused the statement of Santosh Sai, before him the applicant has admitted to have committed the offence. Taking in to the extra judicial confession on record, this Court is 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

Balram