

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4965 of 2016

- Rajesh S/o Jagdish Tiwari Aged About 40 Years R/o Vijay Smarak Chowk, Police Station Ghumka, District Rajnandgaon, Chhattisgarh. ----- **Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Ghumka, District Rajnandgaon, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Abhishek Sharma, Advocate
For the Respondent	:	Mr. Neeraj Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 46/2016 registered at P.S. Ghumka, Distt. Rajnandgaon (C.G) for the offence punishable under Section 302 of IPC.
2. As per the prosecution case, the applicant developed love relations with the deceased. On 23.04.2016 he came to the place of deceased where some dispute took place, therefore, the applicant has murdered Ambika Bai by way of stone and sickle.
3. Learned counsel for the applicant would submit that no eyewitness is present in this case, therefore, no evidence is available against the applicant except the seizure of blood stained clothes from him and the applicant has been falsely implicated.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary statements. According to the

statement of one Vishnu Ram Nishad, the applicant was seen running away from the place where the deceased was found dead and thereafter the blood stained clothes were recovered from the possession of the applicant.

6. Taking into such fact and evidence available against the applicant, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**