

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5649 of 2016

Amar Singh Rajput, S/o Bhaiyalal Rajput, Aged About 29 Years, R/o Lahar, District - Bhind (M.P.) At Present Rungara, Police Station - Balco, Tahsil & District - Korba Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Police Station - Balco, Tahsil & District - Korba Chhattisgarh

---- Respondent

For applicant - Shri Anil Tripathi, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/09/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.158/2015 registered in Police Station Balco, Tahsil & District-Korba (C.G.) for offence punishable under sections 302, 201, 404 read with Section 34 of Indian Penal Code.
2. As per the prosecution case, one Laxman Das Dharmani was missing on 7/07/2015 for which a missing report was made by Ravi Lalwani. Subsequently, the applicant alongwith other co-accused were arrested and two of the accused are still absconded. It is alleged that the deceased Laxman Das Dharmani had some relation with wife of the applicant and on the date, wife called the deceased to her house and thereafter with the help of the applicant and other co-accused persons, committed murder and buried the dead body under the water of Chuchuiha canal.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, no evidence is available against this applicant and only on the basis of presumption, the applicant has been inculpated. He submits that the charge sheet has been filed, no further

investigation is necessary, therefore the applicant may be released on bail.

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

5. Considering the evidence collected by the prosecution, the applicant alongwith the wife committed murder of the deceased, thereafter with the help of other co-accused buried the dead body under the canal of flowing water. Considering the evidence collected and also for the fact that bail of the similarly placed co-accused has been dismissed by this court in M.Cr.C. No.7474/2015 on 6/01/2016, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE