

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6784 of 2016

1. Karan Nishad S/o Shri Itwari Nishad Aged About 19 Years R/o Nayapara, Chakarbhatha, Bilaspur, District Bilaspur, Chhattisgarh.
2. Akash Kumar Kenwat S/o Shri Shivkumar Kenwat Aged About 19 Years,
3. Shyamu Kenwat S/o Shri Bahorik Kenwat Aged About 30 Years, Applicants No.2 and 3 R/o Village Karra, Police Station Seepat, Bilaspur, District Bilaspur, Chhattisgarh.

---- Applicants

Versus

The State Of Chhattisgarh, Through The Station House Officer,
Police Station Seepat, Bilaspur, Chhattisgarh.

---- Respondent

For applicants - Shri M.K. Bhaduri, Advocate.
For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

4/11/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.156/2016 registered in Police Station Seepat, Bilaspur (C.G.) for offence punishable under sections 302, 341, 323, 294, 34, 506, 120(B) of the Indian Penal Code.
2. As per the prosecution case, a report was made by Govind Kewat the deceased on 29/06/2016 that he had a dispute in the marriage and while he was coming back, present applicants alongwith Deepak intercepted and assaulted him. Subsequently, he died on the next day.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the case, main allegation have been attributed to Deepak, there was no intention to kill and out of sudden provocation the incident happened, therefore the applicants may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the FIR and statement of eye witnesses Vishnu Kewat and

Sunderlal Sahu. Taking into such statement, role played by the applicants cannot be bifurcated, therefore this court is not inclined to release the applicants on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE