

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7147 of 2016

Nanhu Gond, S/o. Jhilga Gond, Aged About 40 Years, R/o. Bimlapur,
Police Station Trikunda, District Balrampur- Ramanujganj, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Trikunda, District Balrampur
Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant : Mr. A.K.Yadav, Advocate

For Respondent : Mr. Ashutosh Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17.11.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.31/2015 registered at Police Station- Tirkunda, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 302/34 of Indian Penal Code.
2. As per the prosecution case, in the intervening night of 07-08.06.2015 the applicant alongwith other co-accused Jodhiram have committed murder of Shivnarayan by giving Axe blow and during investigation, the applicant was arrested and on his memorandum, an Axe was recovered.
3. Learned counsel for the applicant would submit that the applicant has only been inculpated on the basis of memorandum and there is no evidence on record to connect the applicant with the crime. He further submits that the charge sheet has been filed and the applicant is in jail since 09.06.2016, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and documents. On the memorandum of the applicant, an Axe was recovered. Taking into the recovery made, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge