

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7831 of 2016

- Vijay Singh Alias Pappu S/o Shivdarshan Singh Gond Aged About 22 Years R/o Sarastal, Police Station- Khandganva, District- Korea, Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through- Incharge Police Station- Khandganva, District- Korea, Chhattisgarh --- **Respondent**

For the applicant	:	Ms. Usha chandrakar, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.12.2016

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. 141/2016 registered at P.S. Khadgava, Distt. Korea(C.G) for the offence punishable under Section 302, 109, 34 of IPC.
2. As per the prosecution case, one Bhagwat Singh was murdered on 11.09.2016. It is alleged that the present applicant who was in love affairs with the daughter of deceased namely Laxmaniya wanted to marry her which was being objected by Bhagwat Singh, therefore, the present applicant instigated the other accused to eliminate her father. Consequently Laxmaniya has committed murder of deceased at the instigation of the present applicant, thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that there is no evidence against the present applicant to connect him with the crime except the memorandum statement of co-

accused Laxmaniya on the basis of which the applicant has been inculpated, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of Sonmati, wife of deceased as also the memorandum statement wherein the other accused Laxmaniya has made extra judicial confession.
6. Considering the statement of Sonmati and the memorandum statement of co-accused, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**