

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4128 of 2017

Narayan Verma S/o Rewaram Verma, Aged About 50 Years (Wrongly Mentioned As 59 Years) R/o Village Neur, Chowki Chandanu, Police Station Nandghat, District Bemetara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Nandghat, District Bemetara, Chhattisgarh.

---- Respondent

Shri P.P.Sahu, counsel for the applicant/s.
Shri Avinash Singh, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

21/11/2017

Heard.

The applicant has been arrested in connection with Crime 36/2017 registered at Police Station – Nandghat, District – Bemetara (CG) for alleged commission of offences under Section 449, 302/34 IPC and Section 3 (2) (5) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

2. It is alleged that the applicant and other co-accused assaulted the deceased with the help of axe resulting in his death.

3. Learned counsel for the applicant submits that in so far as the present applicant is concerned, he did not use any weapon to assault the deceased and the only allegation against him is that he caught hold of the deceased which is not probable. It is further submitted that the other two co-accused namely Smt. Nona Verma and Ku. Janki Verma have been granted bail by the Trial Court.

4. On the other hand, learned State counsel opposes bail application.

5. Having considered the submission and that the prosecution case against the applicant is based on eye witness who has stated in the diary statement that the applicant along with other accused arrived at the spot with weapon and while resisted by the deceased, the applicant caught hold of the deceased, I am not inclined to grant bail to the applicant. The application is therefore rejected.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge