

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case (A) No.23 of 2017**

- Prakash Sahu S/o Shri Manharan Sahu, Aged About 25 Years
R/o Village Jaroud, Police Station Mandir Hasaud District Raipur
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police
Station Mandir Hasaud District Raipur Chhattisgarh

---- Respondent

For Applicant	: Shri VVS Murty, Sr. Advocate with Shri Shantanu Kumar, Advocate
For Respondent/State	: Shri Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****12.4.2017**

Heard the matter finally.

2. This application filed under Section 438 of the Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No.336/2016 registered at Police Station Mandir Hasaud, Distt. Raipur for offence punishable under Section 304 B of Indian Penal Code.

3. Learned counsel for the applicant submits that charge sheet is yet to be filed and the matter is under investigation and as in the alleged suicide note of the deceased, wife of the applicant, she has not said anything against the involvement of the present applicant, hence, as the applicant is not committed any offence, he may be granted the benefit of anticipatory bail.

4. Per contra, learned counsel for the State opposed the arguments advanced on behalf of the applicant and would submit that the matter is still under investigation, charge sheet is yet to be filed, but till date the material collected by the prosecution while recording the statement of parents of the deceased and other witnesses there is prima facie involvement of the applicant in the offence.

5. Perused the entire material.

6. On due consideration, as the charge sheet is yet to be filed and the matter is under investigation and on the basis of material collected against the present applicant, I am not inclined to grant bail to the applicant.

7. Accordingly, the bail application filed under Section 438 of the Cr.P.C. is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE