

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 918 of 2017**

Parvej Minj S/o Shri Noharish Minj, aged about 19 years, R/o village Sarsadewa
Shyang Thana Kotwali, Korba, Civil and Revenue District Korba, Chhattisgarh.

---- Applicant**VERSUS**

State of Chhattisgarh, Through Station House Officer, Police Station
Dharamjaygarh, Civil and Revenue District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Shri Sunil Sahu, Advocate.

For Respondent/State : Shri Neeraj Jain, Government Advocate.

Hon'ble Shri Justice Goutam Bhaduri.

Order on Board**01/03/2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 380/2015, registered at Police Station–Dharamjaygarh, District–Raigarh (C.G.) for the offence punishable under Section 302 and 201 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 11.12.2015, dead body of a girl namely Suman Lakra was found in the Sagon forest near village Ududa. Subsequently, it was found that the applicant had committed murder of the girl with a hammer in order to eliminate her as the applicant was in relationship with the said girl.
3. Learned counsel for the applicant submits that the applicant has not committed any offence. Charge sheet has already been filed and out of 23 witnesses, 9 witnesses have been examined and no further investigation is required. All the 9 witnesses have not supported the case of the prosecution. Therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties, perused the case diary, documents and statements.
6. The case diary shows that on the basis of mobile call details and circumstantial evidence, the applicant has been inculpated. There are still number of witnesses to be examined and taking into consideration the evidence available on record and the nature of allegations, I do not deem it a fit case in which the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge