

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1598 of 2017

- Tikam Singh S/o Shri Jay Singh Bhuwal, Aged About 40 Years R/o Village Sonpandar, Police Station Parpodi, District Bemetara Chhattisgarh

---- **Petitioner**

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station Parpodi, District Bemetara, Chhattisgarh

---- **Respondent**

For Applicant : Mr. N.K. Chhatterjee, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22--3-2017

1. This is the first bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 17-8-2016 in connection with Crime No. 83 of 2016 registered at Police Station Parpodi, District Bemetara (CG), for the offence punishable under Sections 302 and 201 of the IPC.
2. As per prosecution case, on 16-8-2016 on phone call received from the present applicant, deceased Ramesh Singh Bhuwal went to the house of the present applicant and thereafter he did not return. Smt. Sunaina Bhuwal, wife of the deceased had some doubt, therefore, she asked her daughter to enquire about her father. When they saw the slippers were outside of the house of the present applicant ands motor-cycle was not there, daughter of the deceased namely Kushbhu went to search her father and saw the dead body of her father lying inside varandah of the house of the applicant.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in this case, there is no motive and there is no evidence available on record to show that the applicant was involved in crime. He would further submit that the charge-sheet has been filed, the applicant is in jail since 17-8-2016 and no further investigation is necessary, therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail application.
5. I have heard learned counsel for the parties, perused the case diary, documents and also map.
6. Perused the statements of wife and daughter of the deceased wherein it is stated that they saw the dead body of the deceased in the house of the present applicant.
7. Considering the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the evidence that the dead body of the deceased was found inside the house of the present applicant and injury was also inflicted to the deceased by way of sword, I am not inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C., is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge