

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2659 of 2017

1. Ramdas Joshi S/o Late Tulsi Joshi, Aged About 19 Years, R/o Village Murmunda, Thana Dongargarh, District Rajnandgaon Chhattisgarh
2. Sona Bai Joshi, Wd/o Late Tulsi Joshi, Aged About 57 Years, R/o Village Murmunda, Thana Dongargarh, District Rajnandgaon Chhattisgarh

---- Applicants

Versus

1. State of Chhattisgarh Through Thana Dongargarh, District Rajnandgaon Chhattisgarh

---- Non-applicant

For Applicants – Shri Samir Singh, Advocate.

For Non-applicant/State – Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

10-05-2017

1. Heard the matter finally.
2. Learned counsel for the applicants would submit that the applicants held arrested in connection with Crime No.80/2016 on 16-01-2016 by P.S. Dongargarh, District Rajnandgaon, C.G. for the offence under Section 450, 302/34 of the IPC. The matter is pending for trial before the Additional Judge Dongargarh to the Court of First Additional Sessions Judge Rajnandgaon, C.G. as Sessions Trial No.15/2016. The applicants are in jail since more than 1 year and 4 months. They are innocent. There is no any conclusive evidence against the applicants. Hence, both the applicants may be granted bail during trial.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicants and would submit that there are eye-witnesses who had seen the entire incident, the matter is of Section 302 of the IPC, the applicants committed serious offence, hence, the bail application may be dismissed.
4. On due consideration, looking to the material collected by police against

the present applicants, I am not inclined to grant bail to the applicants.
Consequently, the instant MCRC is hereby dismissed.

Sd/-

(Chandra Bhushan Bajpai)
JUDGE

Aadil