

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4026 of 2017

- Rohit Kumar S/o Samme Lal Chandra Aged About 35 Years R/o Village Kachanda, Police Station Jaijaipur, District Janjgir Champa, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Jaijaipur, District Janjgir Champa, Chhattisgarh.

---- Respondent

For Applicant
For Respondent-State

Shri B. M. Rai, Advocate
Shri Ashutosh Pandey, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

27/11/2017

1. The applicant has preferred this bail application under Section 439 CrPC, as he has been arrested in connection with Crime No.170/2016, registered at Police Station Jaijaipur, District Janjgir-Champa for the offence punishable under Sections 302 and 201 read with Section 34 of IPC.
2. The applicant has allegedly committed murder of his mother. It is argued that the eye witnesses have turned hostile, therefore, the applicant is entitled for bail.
3. The case is based on circumstantial evidence, therefore, the hostile statement of one of the witnesses would not affect the entire prosecution case. Any comment on the quality or credibility

of the witness, who has turned hostile, would affect the case of either of the parties, therefore, this Court is refraining from passing any order on that count.

4. Considering the entire facts situation of the case, this Court is not inclined to release the applicant on bail. Accordingly, the bail application is dismissed.

Sd/-

Judge

Prashant Kumar Mishra

Nirala