

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5291 of 2017**

1. Ajay Kewat S/o Shri Vanshram Kewat, Aged About 25 Years R/o Khokhasa District Janjgir Champa Chhattisgarh.
2. Janak Prasad @ Janki, S/o Shri Rjuwaram Kewat, Aged About 38 Years R/o Village Salkhan, Police Station Shivrinarayan District Janjgir Champa Chhattisgarh.

---- Applicants

State Of Chhattisgarh Through Police Station Janjgir (Naila) Janjgir,
District Janjgir Champa Chhattisgarh.

---- Respondent

For applicant	Mr. Manish Sharma with Mr. Pragalbha Sharma, Adv.
For Respondent	Mr. Neeraj Jain, GA.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****22-9-2017**

1. Perused the explanation of concerned official and the note of the Registrar General in compliance of show cause dated 12-9-2017.
2. The concerned official has stated that his previous office note was not clear and accordingly inconvenience was caused, for that concerned official beg apology and assured that this type of mistake shall not be committed in future.
3. After perusal of the explanation and note of the Registrar General, now I am not inclined to proceed further against the erring official in the matter. The proceeding of show cause are dropped at this stage. Registrar General and Additional Registrar (Judicial) are directed to keep a vigil over the officials under them so that complete and clear information as required be surfaced in the office note in future.
4. Also perused the office note dated 20-9-2017. As per said note no any other co-accused has preferred any petition to enlarged them on bail.
5. Heard the matter finally.
6. The applicants have preferred this application for grant of bail as they

are arrested on 23-3-2017 in connection with Crime No. 111/2017, PS Naila, Distt. Janjgir, Distt. Janjgir Champa (CG) for offence punishable under Section 302, 201 read with Section 34 of the IPC.

7. Learned counsel for the applicants submit that after investigation charge sheet has been filed against the applicant and co-accused Rajendra Kewat and Vansram Kewat.
8. Learned counsel for the applicants submits that name of the deceased is Bholu chouhan. The case against the applicants at best may as surfaced prima facie fall under Section 201 of the IPC as when they reached to the spot, incident had already taken place hence looking to the entire facts, the applicants may be enlarged on bail.
9. Per contra, learned State counsel opposes the arguments advanced on behalf of the applicants and submits that there is eye-witness Smt. Ranu who has categorically in her statement recorded under Section 161 of the Cr.P.C. stated about the role of both the applicants and other co-accused in the murder of the deceased. Also there are evidence collected regarding last seen together.
10. Perused the entire material.
11. On consideration of the entire facts as one eye-witness has stated the role of the applicants taking part in the incident in the murder of the deceased and also there is prima facie material surfaced regarding last seen together, on consideration of the entire facts, I am not inclined to grant bail to the applicants.
12. Consequently, instant MCRC is dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge