

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.7722 of 2016

Mohd. Tanzil Khan @ Monu, age 22 years, S/o Mohd. Nizam, R/o Raja Talab, New Basti, P.S. Civil Lines, Distt. Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through P.S. Moudahapara, Distt. Raipur (C.G.)

---- Non-applicant

For Applicant:	Mr. Kishore Bhaduri, Advocate.
For Non-applicant:	Mr. Vivek Sharma, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

17/03/2017

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.45/2016, registered at Police Station Moudahapara, Distt. Raipur, for the offence punishable under Sections 302 read with Section 34 of the IPC and 25 of the Arms Act.
2. Case of the prosecution, in brief, is that the present applicant along with other two co-accused persons namely Wasim Pasa and Abid caused the murder of Sumit on 31-3-2016 and thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case, there is no seizure from the applicant and co-accused Arun Yadav and Neeraj Sonkar have been released on bail.

4. On the other hand, learned State counsel would oppose the application and would submit that there are four eyewitnesses to the incident namely Neeraj @ Chotu Sonkar, Golu, Arun Yadav and Muskan Ratre, they have seen the incident and the present applicant has caused the gunshot injury.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case and evidence collected by the prosecution against the applicant, I am not inclined to grant bail to the applicant. The application is, therefore, rejected.

Sd/-
(Sanjay K. Agrawal)
Judge