

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2044 of 2017

Reman Kumar Jangde S/o Shri Kriparam Jangde, Aged About 30
Years R/o Village Tarda Police Station Urga, Civil & Revenue
District Korba Chhattisgarh

----Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Urga, District Korba Chhattisgarh

---- Respondent

For applicant - Shri Ashish Beck, Advocate.
For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

27/03/2017

1. This is third bail application under Section 439 of Cr.P.C. The first bail application was dismissed on 16/12/2015 vide M.Cr.C. No. 6969/2015. The second bail application was dismissed as withdrawn on 16/06/2016 vide M.Cr.C. No.2889 of 2016.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 150/2015 registered in Police Station Urga District Korba (CG) for offence punishable under sections 302, 120-B, 34 of Indian Penal Code and Section 3(2)(5) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
3. As per the prosecution case, on 23/05/2015 Bansi Lal Jangade was murdered and it is the case of the prosecution that Bansi Lal Jangade was murdered by the other co-accused Gendram @ Mundul after conspiracy was hatched alongwith this applicant, as the applicant Reman Kumar Jangade who was related to the deceased took Bansi Lal Jangade with him, thereby offence has been committed.

4. Learned counsel for the applicant submits that most of the witnesses more than three fourth have been examined and they have not supported the case of the prosecution, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Considering the fact that earlier bail application was dismissed on merits, at this stage by picking up statement of few of the witnesses it would not be proper for this court to adjudicate the case by usurping power of the trial court while hearing the bail. Considering the same, this court is not inclined to release the applicant on bail.

7. Accordingly, the third bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE