

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 222 OF 2018**

Omnanarayan Verma S/o Shri Ramanand Verma, A/o-24 years, R/o-village Jaitpuri, Police Station-Nandghat, Tehsil-Navagarh, District Bemetara (CG)

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Chowki-Sargaon, Police Station-Pathariya, District Mungeli (CG)

---Non-applicant

M.Cr.C. No. 428 OF 2018

Uttara Kumar Verma S/o Late Shri Jagatram Verma, A/o-23 years, R/o-village Jaitpuri, Police Station-Nandghat, Tehsil-Navagarh, District Bemetara (CG)

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Chowki-Sargaon, Police Station-Pathariya, District Mungeli (CG)

---Non-applicant

And**M.Cr.C. No. 517 OF 2018**

Sacchhindanand Verma (wrongly written Deenu Verma as another name in cause title) S/o Deenu Verma, Aged about 24 years, R/o-Jaitpuri, P.S.-Nandghat, District-Bemetara (CG)

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer of Police Station-Pathariya, District Mungeli (CG)

---Non-applicant

For Applicants	:	Mr.Anis Tiwari, Advocate in M.Cr.C.Nos.222 and 428 of 2018
For Applicant	:	Mr.Pallav Mishra, Advocate in M.Cr.C.No.517 of 2018
For Non-applicant	:	Mr. R.N.Pusty, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

22/03/2018

1. Since the aforesaid three bail applications have been filed against the same crime number i.e. Crime No.439/2017, they are being disposed of by this common order.
2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.439/2017, registered at Police Chowki-Sargaon, Police Station-Pathariya, District Mungeli (C.G.), for the offence punishable under Sections 302, 201, 120B and 364/34 of the IPC.
3. Case of the prosecution, in brief, is that, three accused persons caused death of deceased Bishahu Ram Verma by strangulation and thereby committed the offence.
4. Learned counsel for the applicants would submit that applicants have not committed any offence and they have falsely been implicated in crime in question. There is no identification of seizure and test identification parade has not been conducted. There is no report of DNA test though it has been sent. The applicants are in jail since 2.9.2017 and star witness Pintu Verma has not interrogated by the police. Therefore, the applicants be released on regular bail.
5. Learned State counsel would oppose the prayer for grant of bail and submit that motor-cycle used in commission of offence has been seized from main accused Omnarayan Verma.
6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts & circumstances of the case, nature and gravity of the offence, the manner in which the accused persons are said to have strangled the deceased and material available on record, this Court is not inclined to release the applicants on regular bail.

8. Accordingly, bail applications filed under Section 439 of the Cr.P.C. are rejected.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-