

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 374 of 2018**

Virendra Thakur, aged about 25 years, S/o Shri Kawal Singh Thakur, R/o Village Manbai, P.S. Bagbahra, District Mahasamund (C.G.)

-----Applicant

**Versus**

The State of Chhattisgarh, through the Police Station Bagbahra, District Mahasamund (C.G.)

-- Non-applicant

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| For Applicant        | : | Mr. Ankur Agrawal, Advocate.  |
| For Respondent/State | : | Mr. Anand Dadariya, Dy. G. A. |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****16/04/18**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.102/2017, registered at Police Station- Bagbahra, District Mahasamund (C.G.) for the offence punishable under Sections 302, 201 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant has murdered one Risha Das and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. Earlier the dead body was found and identified as Ku. Smridhi Pathak which was handed over to parents of Ku. Smridhi Pathak and dead body was then cremated and after a period of about 45 days, the dead body

was said to be of one Risha Das and the applicant has been alleged to have caused death of deceased Risha Das and has been arrested in the instant case and is in jail since 04.07.2017. He would lastly submit that charge-sheet has already been filed and no useful purpose will be served by detaining him in jail, therefore, he may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submits that there is material evidence on record to show that it is the applicant who has caused the death of deceased Risha Das and, therefore, he is not entitled for grant of regular bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; and the material available on record, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. deserves to be and is hereby rejected. No cost(s).

Sd/-

**(Sanjay K. Agrawal)**

Judge