

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 906 of 2018

Bishun Singh @ Vishwanath Singh S/o Ramcharan Singh Gond Aged About 50 Years R/o Village Jagalpur Basniha Dand, Police Station Charcha District Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Charcha District Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/04/2018

Heard.

1. The applicant has been arrested in connection with Crime No.104 of 2017 registered in Police Station- Charcha, District- Korea for the alleged commission of offence under Sections 302 read with Section 34 IPC.
2. Case of the prosecution, in brief, is that the applicant and another co-accused committed murder of one Bhok Singh.
3. Learned counsel for the applicant would submit that the case diary statement and morgue intimation prima facie show that the applicant did not assault the deceased and it was the other co-accused, the son of the applicant, who assaulted the deceased. Therefore, under these circumstances, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposed the application and

submits that the incident happened in the house of the applicant and his son and diary statement shows that the applicant declared that Bhok Singh is to be murdered and then his son assaulted Bhok Singh. Therefore, the applicant is not entitled to grant of bail.

5. Having considered the submissions made by learned counsel for the parties, considering the nature and gravity of allegation, I am not inclined to grant bail to the applicant.
6. The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge