

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1788 of 2018

1. Bharat Ram And Anr. S/o Jagat Ram Aged About 28 Years R/o Village Dignagar, Police Station Rajpur, District (Revenue And Civil) Balrampur, Chhattisgarh., District : Balrampur, Chhattisgarh
2. Thina @ Chhotu S/o Jokhu Ram Aged About 30 Years R/o Village Dignagar, Police Station Rajpur, District (Revenue And Civil) Balrampur, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Rajpur, District (Revenue And Civil) Balrampur, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Respondent

For Applicants	:	Shri Anand Kesharwani, Advocate
For State	:	Shri S. Majid Ali, Dy.G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/05/2018

Heard.

The applicant has been arrested in connection with Crime No.97/2017 registered at Police Station – Rajpur, District (Revenue and Civil) - Balrampur (C.G.) for alleged commission of offences under Section 302/34 of IPC.

2. Case of the prosecution is that the applicants murdered Dinesh.
3. Learned counsel for the applicant would submit that the applicants have been falsely implicated in the alleged commission of offence even though there is no clear evidence of their involvement. He submits that there are no eye witnesses, no weapon alleged to be seized and no incriminating material has been recovered, recovery of dead body has no evidentiary value as the dead body was already seen. Therefore, the applicant may be granted bail.
4. On the other hand, learned counsel for the State opposes bail application and

submits that the applicants were involved on the basis of last seen together, the dead body was recovered on applicants' memorandum and their clothes were found blood stained. Therefore, the application may be rejected.

5. Taking into consideration the nature and gravity of allegations and material collected, I am not inclined to grant bail to the applicants. The application is therefore rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti