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HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2662 of 2018

1. Bachche Ram Markandey S/o Barsan Markandey Aged About 50 Years
2. Charan Markandey S/o Bachche Ram Markandey Aged About 24 Years
3. Budhwantin Bai @ Bachchi Markandey W/o Bachche Markandey aged about 42 Years

R/o- Satnamipara, Fingeshwar, Police Station Fingeshwar, District-Gariyaband, Chhattisgarh.

---- Applicants**Versus**

State of Chhattisgarh through- Station House Officer, Police Station Fingeshwar, District- Gariyaband, Chhattisgarh.

---- Respondent

For applicants	Mr. Pushpendra Patel with Mr. Dashrath Kishwaha, Adv.
For Respondent/State	Mr. UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****9-5-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no bail application is pending before any other court.
2. Perused the copy of the case diary produced by counsel for the state in connection with Crime No. 140/2017 registered in police station Fingeshwar, Distt. Gariyaband (CG) for offence punishable under Section 302/34 of the Indian Penal Code and also heard counsel for the parties.
3. Prosecution story in brief is that on 2-11-2-17 at about 7 pm in Ward No. 12, Fingeshwar, the deceased prevented the applicants from making rope. An altercation took place between

them, thereafter the applicants abused the deceased and beat him by fists, kicks and rod. The deceased died on the spot.

4. Counsel for the applicants argued that the applicants are innocent and falsely implicated hence they be released on bail.
5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicants.
7. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge