

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 434 of 2018

- Pitambar Yadav S/o Shri Hariram Yadav Aged About 38 Years By Caste- Mahakul, R/o- Rajaamba, Police Outpost- Kotba, P.S.- Bagbahar, Civil And Revenue District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Outpost- Kotba, P.S.- Bagbahar, Civil And Revenue District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Sunil Sahu, Advocate.
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

22/06/2018

1. Apprehending arrest in connection with Crime No.130/2017 registered at Police Station- Bagbahara District – Jashpur (C.G.), for offence punishable under Sections 302 & 201 of the Indian Penal Code (for short 'IPC') the applicant has preferred this application for grant of anticipatory bail.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. There is no evidence against him in the investigation made so far. Simply because the deceased had lived with applicant for some time, a doubt has been raised that this applicant may be the person who had caused her death. Hence, it is prayed that he may be released on anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that investigation is still pending and because of absconsion of this applicant, the investigation could not be completed, hence, the application be rejected.
4. Heard both the parties and perused the case diary.
5. Deceased Holika was found dead on 26.10.2017 and as per postmortem report, she died homicidal death as a result of injuries caused to her by some sharp edged weapon. In the investigation conducted so far, it is found that she had been living with this applicant for some time. Deceased left this applicant because of cruel treatment given by this applicant. This applicant was continuously pressurizing the deceased to live with him but she flatly refused to reside with him. Hence, there appears to be strong doubt against the applicant and therefore there is requirement of custodial interrogation of this applicant.
6. For the foregoing reasons, I am not inclined to grant anticipatory bail of this applicant. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge