

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3666 of 2018**

Nand Pyala Ram S/o Ratiya Ram Aged About 23 Years Caste-
Korwa, R/o- Village Sihardad, Police Station- Bagicha, District-
Jashpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police
Station- Baghicha, District- Jashpur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sanjeev Kumar Sahu, Advocate
For the State	:	Shri Dhiraj Wankhede, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**25/06/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 205/2017 registered at Police Station Bagicha, District Jashpur (C.G.) for the offence punishable under Section 302 of IPC.
3. Case of the prosecution, in brief is that the deceased Dipti Bai is wife of the present applicant. They were reside at village Sihardand. Between intervening night of 04.12.2017 to 05.12.2017 applicant beaten deceased by torch resultant deceased succumb, the reason for beating was that she was not coming from the house of the Elvin.
4. Though the alleged eyewitness Elvin Xalxo has been turned hostile but there is memorandum of the applicant and on the strength of

memorandum one torch was seized. Deceased was found dead in the house where she and the applicant was present.

5. Learned counsel for the applicant submits that applicant is innocent and falsely implicated in the present case and the applicant is in jail since 06/12/2017, therefore, he shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application.
7. 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 applicant.
8. Consequently, the MCRC is dismissed.

Sd/-

(Sharad Kumar Gupta)
Judge