

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4817 of 2018**

Mahendra Ekka S/o Shri Soona Ekka Aged About 28 Years R/o- Village Kharsota, P.S.- Pasta, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Police Station Incharge P.S.- Ramanujganj, District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Bhupendra Singh, Advocate.
For the Respondent/State : Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****02.08.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 59 of 2017, registered at Police Station Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh for the offence punishable under Sections 379 and 302 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 25.04.2017 and has been falsely implicated in this case. No case is made out against the applicant and totally a false FIR has been lodged against this applicant. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that it is a case of heinous offence committed by the applicant killing his own child. Hence, for these reasons, he is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. The case against the applicant is that on the date of incident the applicant assaulted his own daughter – Ankita with an axe who got injured and when the wife of the applicant tried to snatch the axe from his hand then the applicant again assaulted his son – Aniket with the same axe twice, which resulted in his death. Hence, this case.

6. Considering the material present in the case-diary and there is eyewitness to this incident, I am of the view that this is not a fit case where the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge