

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5048 of 2018

Jaswant Chouhan S/o Late Rajaram Chouhan Aged About 24 Years R/o Village Somni, P. S. Bhilai-3 Tehsil Patan District Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Purani Bhilai, (Old Bhilai) District Durg Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Purnendra Khicharia, Advocate
For Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

07/08/2018

1. This is the first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.271/2017, registered at Police Station- Purani Bhilai (Old Bhilai), District – Durg (C.G.) for the offence punishable under Section 302 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 20.08.2017. No case is made out against him according to the material present in the charge-sheet. Hence, it is prayed that the applicant may be released on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for the parties and perused the documents placed on record.

5. The allegation against the applicant is this that on the date of incident, during the quarrel with his wife, he assaulted the deceased his own father causing fatal injuries, which has resulted in his death.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge