

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7133 of 2018**

Pintu Ram Devdas S/o Shri Ram Avtar Devdas Aged About 26 Years
R/o Murethi, P.S. - Mandir Hasaud, Tahsil And District - Raipur,
Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, P.S. - Mandir
Hasaud, Tahsil And District - Raipur, Chhattisgarh., District : Raipur,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sharad Mishra, Advocate
For the State	:	Shri R.K. Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**27/10/2018**

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 counsel for the State in connection with the Crime No.70/2018 registered at Police Station Mandir Hasaud, District Raipur (C.G.) for the offence punishable under Sections 302 of IPC.
3. Case of the prosecution, in brief is that the applicant had doubt that deceased Amrika Patel used to do witchcraft, therefore his marriage is not being fixed. On 20/02/2018 at small pond at 4.00 p.m. he caused injury on the head of deceased by wooden fatta and strangle her neck by dupatta.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. He further submits that there is no antecedents against the applicant.

6. Counsel for the applicant further submitted that number of witnesses have not supported the prosecution case.
7. Looking to the above mentioned 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

Kamde