

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7790 of 2018

1. Randhawa Sonmundhri S/o. Chhukkur Sonmundhri, Aged about 47 years, R/o. Fokatpara, Devar Para, Kasaridhi, Durg, District Durg (C.G.)
2. Pappu Devraj S/o. Shamter Devraj, Aged about 25 years, R/o. Lokat Para, Devar Para, Village Anjora, District Rajnandgaon, Presently residing at Devar Para, Urla, Durg (C.G.)

---- Applicants

Versus

State of Chhattisgarh through District Magistrate Durg, District Durg (C.G.)

---- Respondent

For Applicants : Mr. P.R. Patankar, Advocate
For Respondent : Mr. Gary Mukhopadhyay, Govt. Advocate

Hon'ble Shri Justice Vimla Singh Kapoor.

Order On Board

30/10/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of bail to the applicants who have been arrested in connection with Crime No. 539/2018 registered at Police Station- Durg, District Durg (C.G.) for the offence punishable under Sections 302/34 IPC.
2. Case of the prosecution, in brief, is that on a trivial dispute the applicants assaulted Kitab Devaar with hand and fists on account of which he was admitted in the hospital on 05.07.2018 and on the same day Kitab Devaar died.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the case. He submits that the deceased was residing with the applicants and there was no intention to kill the deceased. Hence, it is prayed that the applicants may be enlarged on bail.

4. On the other hand, learned State counsel opposes the prayer for bail and submits that the death occurred due to head injuries which was caused by the applicants.
5. Perused the case diary and the charge sheet which shows that the death of the deceased was as a result of the injuries caused by the applicants. Accordingly, this Court is not inclined to release the applicants on bail. Application is therefore, rejected.

Sd/-

(Vimla Singh Kapoor)
Judge

Santosh