

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7876 of 2018

1. Tarun Sahu S/o Parmeshwar Sahu Aged About 25 Years R/o Village Posra Police Station And Tahsil Basna District Mahasamund Chhattisgarh,
2. Laxman Patel S/o Dukhram Patel Aged About 32 Years R/o Village Posra Police Station And Tahsil Basna District Mahasamund Chhattisgarh,

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Basna District
Mahasamund Chhattisgarh,

---- Respondent

For applicants - Shri S.S. Rajput, Advocate.
For Respondent/State –Shri Sameer Behar, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

12/10/2018

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 2/07/2018 vide M.Cr.C. No.4405/2018.
2. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.48/2018 registered in Police Station Basna, District Mahasamund (C.G.) for offence punishable under sections 294, 323, 506, 302/34 of IPC.
3. As per the prosecution case, on 25/01/2018 the applicants on the previous enmity has assaulted one Ajay Yadav @ Chhabi Lal and he died because of head injury caused by brutal beating.
4. Learned counsel for the applicants submits that there is no legally admissible evidence on record against the applicants and the witnesses have not deposed anything, therefore the applicants may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Earlier bail application was dismissed on merits on 2/07/2018.

Therefore, at this stage I am not inclined to go into such cause so as to adjudicate the case again on merits by evaluating the evidence.

7. Accordingly, the second bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE