

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7995 of 2018**

Kartami Ganga S/o Hirma Aged About 23 Years Caste Gond, R/o
Village Telawarti, P. S. Sukma, District Sukma CG

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Sukma, District Sukma CG

---- Respondent

For applicant	Mr. N.S. Dhurandhar, Adv.
For Respondent/State	Mr. Ashok Swarnkar, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****27-11-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 24/2017 registered in police station Sukma, Distt. Sukma (CG) for offence punishable under Section 148, 302/149, 201/149 of the IPC
3. Perused the case diary.
4. Prosecution story in brief is that on 12-3-2017 missing report of deceased Sodhi Deva was lodged in PS Sukma. During inquiry, dead body of deceased Sodhi Deva was found in a sack under water of Sabri river. An FIR was lodged against the unknown persons. During the investigation, it was found that the applicant, co-accused Sanjay Telam, Podiyami Ganga, Tandi Deva, Hadma were beating deceased Sodhi Deva, throttling by towel. They put the body of the deceased in a sack and went towards Sabri river, threw the body in the river.
5. Counsel for the applicant argued that looking to the memorandum of the applicant, seizure and post mortem report, the applicant may be released on bail.

6. On the other hand, the State Counsel opposed the bail application.
7. Looking to the facts and circumstances of the case, looking to the statement of Kohrami Sukka under Section 161 of the Cr.P.C. in which he has stated that the applicant and said co-accused were throttling and beating the deceased, further considering 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