

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 696 of 2019**

Domendra S/o Tilakram Lodhi Aged About 21 Years R/o Village Bajguda, Police Station Chhuikhadan, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh .

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Chhuikhadan, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh .

---- Respondent

For the Applicant	:	Shri Shaleen Singh Baghel, Advocate
For the State	:	Ms. Sangeeta Mishra, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**15/04/2019**

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 learned counsel for the State in connection with the Crime No.207/2018 registered at Police Station Chhuikhadan, District Rajnandgaon (C.G.) for the offence punishable under Section 363, 366, 376, 302, 201 of IPC.
3. Case of the prosecution, in brief is that on 06/10/2018 deceased Ku. Rekha Janghel, aged about 19 years resident of Bajguda, did not returned back to house till evening. Her father Ganpat intimated police station Chhuikhadan where a report regarding missing person was lodged. During investigation a memorandum of applicant was recorded. On the memorandum of applicant one bag was seized from applicant containing two dupatta of deceased Rekha Janghel, some books, one copy, one key ring of bicycle. At Chhura river forest some bones and hairs were found. Shav Panchnama was prepared. Father of the deceased Ganpat identified the clothes of deceased.
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, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Counsel for the applicant further submitted that it cannot be said that alleged bones and hairs belong to deceased, therefore, applicant may be released on bail.
7. Looking to the above mentioned facts and circumstances of the case, looking to the evidence available on record, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde