

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1192 of 2019**

- Ramdhari Pusham S/o Ramsai Aged About 28 Years R/o Village Bhagwanpur, Kenpara, Police Station Chalgali, District Balrampur-Ramanujganj Chhattisgarh,

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Chalgali, District Balrampur-Ramanujganj Chhattisgarh

---- Non Applicant

For the Applicants : Ms. Ishwari Ghritlahare, Advocate

For the State : Ms. S. Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**06/03/2019**

1. This is the first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.54/2017 registered at Police Station- Chalgali, District- Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 302, 201 of Indian Penal Code.
3. Case of the prosecution, in brief is that name of deceased is Taramuni. She is wife of applicant. In the intervening night of 15.08.2017 and 16.08.2017 applicant stated some witnesses that he had beaten deceased by wooden club on account of consuming liquor, she has been died. As per the Post Mortem report cause of death was neurogenic shock due to grievous injuries, the death was homicidal. On the memorandum of applicant one wooden club having blood like stains was seized from him.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail and he further submitted that number of the witnesses have been examined and turned hostile thus, applicant may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicant.
6. Yet now one witness Smt. Manmati is to be examined.
7. Looking to the facts and circumstances of the case, looking to the material available on record, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

Judge

Parul