

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2939 of 2019**

- Ashok Kumar Patel S/o Ramprasad Patel Aged About 32 Years R/o Village - Darwaaza, Outpost - Khudia, Police Station And Tehsil - Lormi, District Mungeli Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Of Outpost - Khudia, Police Station Lormi, District Mungeli Chhattisgarh

---- Non Applicant

For the Applicant	:	Shri Pallav Mishra, Advocate
For the State	:	Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****14.05.2019**

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.537/2018 registered at Police Station- Outpost- Khudia, P.S.- Lormi, District- Mungeli (C.G.) for the offence punishable under Section 302, 201, 34 IPC. (Annexure A-1)
3. Case of the prosecution, in brief is that on 19.12.2018, at village Darwaaza, dead body of deceased Tati Patel was found in injured condition. One shirt having blood like stains has been seized from the possession of the applicant.
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.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. Counsel for the applicant further submits that main accused is co-accused Nathu @ Shivnath Patel. Alleged seized shirt has not been sent to RFSL for chemical examination. Thus, he may be released on bail.
7. Looking to the above mentioned facts and circumstances of the case, looking to this fact that one shirt having blood like stains has been seized from the possession of applicant, 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