NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4670 of 2019

Ramo @ Ramchandra Bhoi, S/o Palau Bhoi, aged about 30 years, R/o Village Tukula, P.S. Bhathli, District Bargarh (Odissa).

---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, P.S. Dongripali, District Raigarh (CG).

---- Non-applicant

For Applicant : Mr. Manoj Kumar Jaiswal, Advocate
For Non-applicant : Mr. Devesh Chandra Verma, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

11.09.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.

2. Perused the case diary provided by the counsel for the State in connection with Crime No.13/2012 registered in Police Station Dongripali, District Raigarh (CG) for the offence punishable under Sections 302, 201 of Indian Penal Code.

3. Case of the prosecution, in brief, is that on 21.06.2013 the dead body of deceased Gitanjali Sahu was found in the forest of Peepar Dongri of village Kokabhal, some witnesses show lastly the deceased along with the present applicant.

4. Counsel for the applicant submitted that the applicant has not committed any offence and has been falsely implicated in the present case. He further submitted that there is no memorandum of applicant, nothing was seized from him.

5. On the other hand, counsel for the State opposed the bail application. However, he submitted that one criminal case under IPC

has already been registered against the applicant.

6. Looking to the above mentioned facts and circumstances of the case, looking to the *prima facie* material available on record against the applicant, looking to seriousness of the offence and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the bail application is rejected. However, the trial Court is directed to expedite the trial and conclude the case as soon as possible from the date of receipt of certified copy of this order.

7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-