

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5079 of 2019**

- Kishor Tekam, S/o Late Ganesh Tekam, aged about 23 years, resident of village Barkachar, Police Station Charama, Tahsil - Charama, District Kanker (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Police Station - Charama, District Kanker (C.G.)

---- Respondent

For Applicant. : Shri Ashutosh Shukla, Advocate.
 For Respondent. : Shri Sameer Sharma, Dy. G.A. for the State.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08/11/2019**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 06.03.2019 in connection with Crime No.215/2018 registered at Police Station : Charama, District Kanker (C.G.) for the offence punishable under Section 302 IPC.
2. The allegation against the applicant is that he killed his father with axe when he (deceased) refused to pay installment of the TVS Motorcycle purchased by the applicant. Based on this, offence has been registered. The present applicant has been taken into custody on 06.03.2019.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated in the crime in question. He further submits that only on the basis of suspicion, the applicant has been arrested. It is next submitted that the applicant is in jail since 06.03.2019, the charge sheet has been filed, there is no likelihood of his case being decided in near future and, therefore, he may be released on bail.

4. On the other hand, State counsel opposes the bail application. He also submits that memorandum statement of the applicant was recorded, based on which, one bloodstained axe has been seized from his possession.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, and further considering the quality of evidence, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)
Judge