

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5988 of 2018**

Ramnaresh Singh, son of Late Ramjeet Singh, aged about 46 years, R/o. Village-Pachawal, Police Station – Sanawal, Distt. Balrampur – Ramanujganj (C.G.)(In jail)

----Applicant

Versus

The State of Chhattisgarh, through the Station House Officer, Police Station- Sanawal, District : Balrampur – Ramanujganj (C.G.)

---- Non-applicant

For applicant	: Shri Pushpendra Kumar Patel, Advocate.
For Respondent/State	: Shri Vimlesh Bajpai, GA

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

18/01/2019

Heard.

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 13/2016 registered at Police Station Sanawal, Distt. Balrampur - Ramanujganj for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that in the intervening night of 26/27. 02. 2014 applicant along with other co-accused caused death of Kismatiya Bai by strangulation on suspicion that she used to practice witchcraft and thereby committed the aforesaid offences.
3. Counsel for the applicant would submit that the applicant has been falsely implicated in the crime in question as he has not committed any offence. He would

further submit that applicant is in detention since 4.5.2018; charge sheet has already been filed and no useful purpose would be served in detaining him further in jail and, therefore, the applicant may be released on bail.

4. On the other hand, counsel for the State would submit that the cloth (गमछा), which was used in strangulation, has been recovered on the memorandum statement of the applicant and, as such, sufficient material available on record to connect the applicant with the crime in question, therefore, the application is not entitled to be released on bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the nature & gravity of the offence and the manner in which deceased Kismatiya Bai has been strangled by applicant along with another co-accused on the suspicion of witchcraft, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

