

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5468 of 2019**

- Chaman Lal Jangde S/o Bisahram Jangde Aged About 36 Years R/o Ward No. 12, Amodi, Police Station Arang, District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Tumgaon, District Mahasamund Chhattisgarh.

---- Respondent

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

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.11.2019**

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 24.11.2018 in connection with Crime No. 224/2018 registered at Police Station : Tumgaon District Mahasamund (C.G.) for the offence punishable under Section 302 of IPC.
2. As per the prosecution case, on 23.11.2018, informant namely Manohar Singh informed the police that he has found a 38-40 year old person's dead body at Mahanadi River, Bairag, Achola. After completion of investigation the dead body was identified as Keshav Das Manikpur and the applicant has been arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that this is a concocted story and the applicant has been implicated in the crime on the basis of last seen theory but none of the witnesses have seen the deceased with the applicant. He also submits that the applicant is in jail since 24.11.2018, the charge sheet has been filed and, therefore, he may be released on bail.
4. On the other hand, State counsel opposing the bail application submitted that the prosecution witnesses namely Dharmendra Yadav (PW-06) and Pappu Kumar Patel (PW-07) have deposed against the applicant which established the involvement of the applicant in the crime in question.
5. I have heard learned counsel for the parties and perused the case-diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence in particular the statements of witnesses, 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