

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5693 of 2019**

- Sudeep Kumar Bose S/o Arvind Bose, aged about 23 years, R/o Professor Colony, Sector No.02, Parshuram Gali, Near Gupta Kirana Store, P.S. Purani Basti, Raipur, District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Purani Basti, District Raipur (C.G.)

---- Respondent

For Applicant.	:	Smt. Indira Tripathi, Advocate.
For Respondent.	:	Shri Sameer Sharma, Dy. G.A. for the State.
For Objector	:	Shri Devershi Thakur, Advocate.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/11/2019**

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 05.03.2019 in connection with Crime No.98/2019 registered at Police Station : Purani Basti, District Raipur (C.G.) for the offence punishable under Sections 302 and 201 of IPC.
2. The prosecution case, in brief, is that applicant Sudeep Bose always used to beat deceased Hemprabha Bose, and after killing Hemprabha Bose in the greed of property, took away her body to Ram Krishna Care Hospital and Mekahara to hide the evidence and donated her dead body to the medical

college. After postmortem, several contusions were found on the body of the deceased by the panel of doctors, which was caused by sharp and blunt object. Based on this, offence has been registered. The present applicant has been taken into custody on 05.03.2019.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. She further submits that memorandum of the applicant was recorded, based on which, clothes of applicant were seized but as per FSL report, no blood was found on it. She also argued that the applicant is adopted son of the deceased and he has been falsely implicated in the crime in question as the property of the deceased was to be get to him. It is next submitted that the applicant is in jail since 05.03.2019, 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.
5. Learned counsel for the objector has also opposed the bail application and submitted that there is CCTV footage on record which shows that the applicant was seen assaulting the deceased and carrying dead body. He also submits that according to the postmortem report, multiple contusions were found on the body of the deceased, which were antemortem in nature.
6. I have heard learned counsel for the parties and perused the record.

7. 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.
8. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)
Judge

Pekde