

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9620 of 2018

- Madvi Joga S/o Hurra Aged About 38 Years R/o Penta, P. S. Dornapal, District Sukma Chhattisgarh, District : Sukuma, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through P. S. Polampalli, District- Dantewada, Chhattisgarh., District : Dantewada, Chhattisgarh

---- Non-applicant

For Applicant	: Shri P.R. Patankar, Advocate.
For Non-applicant	: Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 10/2018 registered at Police Station – Polampalli, District- Dantewada (C.G.) for the offence punishable under Section 302, 395, 364, 147, 148, 149 and 120-B of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 02.07.2018 deceased Kapurchand and applicant had gone to village Medwahi Tongguda for the inspection of road by motorcycle. Thereafter the deceased did not return back to his house. The dead body of the deceased was found ahead Gorgunda Camp.
4. Learned counsel for the applicant argued that applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Counsel for the applicant further submitted that there is no incriminating evidence available against the appellant on record, thus he may be released on bail.
7. As per the post mortem report the death of the deceased was homicidal in nature. On the memorandum of the applicant one Dhoti having blood like stains was seized from him.
8. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE