

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Reserved on 11-3-2019****Delivered on 12-3-2019****MCRC No. 9946 of 2018**

- Budhram @ Buddha S/o Ghorbin Aged About 40 Years R/o Duppi Lusiyam Para, Police Station Surajpur, District Balrampur- Ramanujganj Chhattisgarh

---- Applicant**Versus**

- Sate Of Chhattisgarh Through Station House Officer, Police Station Rajpur, District Balrampur- Ramanujganj Chhattisgarh

---- Respondent

For applicant Mr. C. Jayant Rao, Adv.

For non-applicant/State Ms. Sangeeta Mishra, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**CAV ORDER**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 111/2018 registered in police station Rajpur, Distt. Balrampur Ramanujganj (CG) for offence punishable under Section 302, 120-B, 201, 34 of IPC.
3. Prosecution story in brief is that on 19-8-2018 dead body of deceased Awadhilal was found in the well of Ronha at village Duppi in injured condition. As per P.M. report the nature of the death was homicidal and death was caused due to ante mortem head injury. As per some witness, applicant and co-accused Ramlal alias Kuhul had taken away deceased from his residence on 18-8-2018 at about 7.00 pm. As per some other witness, he had seen that near the well of Ronha, the applicant, co-accused Ramlal alias Kuhul and Ram Singh were present and told him that deceased Awadhilal has fallen in well.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated. There is no nexus between last seen and death of the deceased. Hence he be released on bail.
5. On the other hand, the State Counsel opposed the bail application.
6. Looking to the above facts and circumstances of the case, looking to the seriousness of the offence and impact of granting bail to the applicant on the society, this applicant is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge