

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 52 of 2019

- Tuleshwar Sahu S/o Punaram Sao Aged About 27 Years R/o Village- Hardi, Police Station- Takhatpur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Takhatpur, District- Bilaspur, Chhattisgarh., Chhattisgarh
---- Non-applicant

For Applicant : Shri AD Kuldeep, Advocate.

For Non-applicant : Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board**18.02.2019**

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. 195/2018 registered at Police Station – Takhatpur, District- Bilaspur (C.G.) for the offence punishable under Sections 302, 34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that the deceased Sukul, he is resident of village Hardi. On 09.06.2018 at about 7:30 pm applicant, coaccused Vijay, Dilip had beaten the deceased Sukul by wooden club on account of not giving liquor on credit. When complainant Smt. Pushpa Nirala, Smt. Soni Bai, Puran Baghel intervened them they also beat them. Due to injury deceased Sukul died after sometime.
4. Learned counsel for the applicant argued that the 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. Looking to the entire 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE