

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 1027 of 2020**

- Kishore Tekam, S/o. Late Ganesh Tekam, Aged about 23 years, Resident of Village Barkachar, P.S.Charama, Tehsil Charama, District Kanker Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Police Station Charama, District Kanker Chhattisgarh

**---- Respondent**

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| For Applicant        | : Shri Ashutosh Shukla, Advocate |
| For Respondent/State | : Shri H.S.Ahluwalia, Dy.AG      |

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**Hon'ble Smt. Justice Rajani Dubey**

**Order On Board**

**14/07/2020**

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 in connection with Crime No. 215/2018 registered at police station Charama, district Kanker (CG) for the offence punishable under Section 302 IPC.

As per prosecution case, the applicant committed murder of his father with axe. It is alleged that the applicant has demanded money to purchase motor cycle and when he refused for the same, he committed the offence.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He submits that the applicant was not having any intention to cause his death. He further submits that the mother of the applicant has not supported the prosecution case. And the applicant has been arrested on the basis of suspicion. He submits that there is a delay of three months in lodging the FIR and there is no explanation for the said delay. Lastly, he submits that the applicant is in jail since 06.03.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application and submits that on the basis of memorandum of the accused, the weapon of offence-axe has been seized.

Having heard counsel for the parties, considered the totality of the fact, in particular the fact that he has committed the murder of his father and on his memorandum, the axe was seized, I am not inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)  
Judge