

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 818 of 2020**

1. Yashwant @ Ashwan S/o Sukhchain Das Chandel Aged About 22 Years R/o Village Ghothiya, Police Station Kawardha, District Kabirdham, Chhattisgarh.
2. Mithlesh Baghel S/o Raju Baghel Aged About 19 Years R/o Village Ghothiya, Police Station Kawardha, District Kabirdham, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Kawardha, District Kabirdham, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. G. P. Kurre, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/03/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 324/2019 registered at Police Station Kawardha, District-Kabirdham (C.G.) for the offence punishable under Sections 302, 201, 120-B, 34 of IPC.
2. The prosecution story, in brief is that, on 12.07.2019 the complainant Chitram Sahu lodged a report that dead body of a lady was lying in the field of Hathibod. The dead body has sent for postmortem and it is identified as Karuna Yadav wife of Shekhram Koushik. On the basis of memorandum statement of co-accused person the present applicants were arrested. It is alleged that the present applicants along with

other co-accused persons were involved in a conspiracy of murder. Present applicants have been taken into custody on 14.07.2019.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the other co-accused persons have already been granted bail in MCRC Nos. 6333/2019, 7076/2019 and 7467/2019. The applicants are in jail since 14.07.2019, there is no likelihood of their case being decided in near future, therefore, the present appellants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application submitting that the applicants did a very heinous crime, the present applicants with the Shekhram Koushik have involved in a conspiracy of murder, and there were seizure of knife and stone from the applicants, which were used in the said murder case, therefore, it is not a fit case to release them on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release them on bail.
7. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge