

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 812 of 2020**

- Filmon Minj S/o Agastu Minj Aged About 55 Years R/o Village S.E.C.L. Miners Colony, Quarter No. 09, Police Station Vishrampur, Tahsil And District Surajpur, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Vishrampur, District Surajpur, Chhattisgarh

---- Respondent

For Applicant/s	:	Mr. A.K. Prasad, Advocate.
For State	:	Mr. Alok Bakshi, Additional A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****25/08/2020**

Heard.

1. The applicant has moved this application for grant of bail as he is arrested in connection with Crime No.173/2019 registered at Police Station- Vishrampur, District- Surajpur, C.G. for the offence under Sections 302 & 201 of IPC.
2. Prosecution case is that the applicant was maintaining illicit relation with deceased-Raj Kumari. There was a dispute between the applicant and the deceased and they were last seen in the evening prior to the date, on which, dead body was found. Deceased died homicidal death due to injury. Witnesses have seen deceased being followed by the applicant. In the clothes of the applicant human blood have been found.
3. Learned counsel for the applicant would submit that the prosecution case only raises suspicion but does not come out with any clinching circumstantial evidence that applicant involved in alleged commission of offence. According to him, even if allegation of illicit relation and some quarrel prior to the date, on which, dead body was found, it would not make out a strong circumstance. He further submits that the presence of human blood alone is not enough unless there is a prima facie evidence that the origin and group of blood found on the

cloth of the applicant is one and the same as that of the deceased.

4. On the other hand, learned State Counsel opposes and submits that material of illicit relation, quarrel on the previous evening, applicant seen following the deceased and deceased died homicidal death, recovery of blood stained stone and presence of the human blood on the clothes of the applicant make out strong case.
5. Having considered the submissions of learned counsel for the parties, taking into consideration the material collected by prosecution relating to circumstantial evidence against the applicant, this is not a fit case for grant of bail.
6. The bail application is accordingly rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge