

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1190 of 2020

- Ashwani @ Golu Dhuri S/o Shri Ramcharan Dhuri Aged About 25 Years R/o Choolghat Road, Takhatpur, Police Station Takhatpur, District Bilaspur Chhattisgarh

---- Applicant
(In Jail)

Versus

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

---- Non-Applicant/ State

For Applicant : Mr. Amit Kumar Chaki, Advocate

For State : Mr. V.R. Tiwari, Additional Advocate
General

Hon'ble Shri Justice Goutam Bhaduri

Order

12/05/2020

1. Heard
2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 395/2018 registered at Police Station- Takhatpur, District Bilaspur (C.G.) for the offence punishable under Sections 307, 302 (two times) & 450 of Indian Penal Code.
3. As per the prosecution case, the applicant on 08/10/2018, has entered into the house of the deceased and committed murder of his mother-in-law, father-in-law and also caused injuries to his wife.

4. Learned counsel for the applicant submits that there is no eye-witness in the case and only on the presumption, the applicant has been arrested on 09/10/2018 and the trial is still pending before the concerned Court.
5. Learned State counsel opposes the bail application and submits that the injured witness is still to be examined.
6. Taking into consideration the gravity of allegations and also the fact that the injured witness is yet to be examined in this case, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. stands dismissed.

Sd/-
(Goutam Bhaduri)
Judge