

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1805 of 2020**

- Heeralal Kurre S/o Sant Kumar Kurre, Caste Harijan, aged about 38 years, R/o Sendha, P.S. Pondi, Tahsil Manendragarh, District Korea (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Incharge, P.S. Pondi, District Korea (C.G.)

---- Respondent

For Applicant. : Smt. Usha Chandrakar, Advocate.
 For Respondent. : Shri Siddharth Dubey, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09/06/2020**

1. The applicant has filed this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 10.12.2019 in connection with Crime No.186/2019 registered at Police Station : Pondi, District Korea (C.G.) for the offence punishable under Sections 363, 364 and 302 IPC.
2. The allegation against the present applicant is that he called the deceased, who was 7 years old boy, on the pretext of giving chocolate and pushed him into his ancestral well as a result of which he died due to drowning. Based on this, offence has been registered against him. The present applicant is in custody since 10.12.2019.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. She also submits that there is no eye-witness to the incident and the applicant has been implicated in the crime in question only

on the suspicion. She also submits that the applicant is in jail since 10.12.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future and, therefore, he may be released on bail.

4. On the other hand, State counsel opposing the bail application submits that the applicant was last seen with the deceased and the locket of deceased has been seized from the applicant.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, gravity of offence and further considering the quality of evidence, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)
Judge