

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1818 of 2020**

- Ramanand Jangde S/o late Parasram Jangde, aged 65 years, R/o village Mokhala, P.S. Aurang, District Raipur (C.G.)

**---- Applicant****Versus**

- State of Chhattisgarh Through : The Police Station – Aurang, District Raipur (C.G.)

**---- Respondent**


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For Applicant. : Shri Ravindra Sharma, Advocate.  
For Respondent. : Shri Sameer Sharma, Dy. G.A.

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

1. The applicant has filed this second bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 02.01.2020 in connection with Crime No.215/2019 registered at Police Station : Aurang, District Raipur (C.G.) for the offence punishable under Sections 302, 307, 341, 147, 148 IPC and Section 25 & 27 of Arms Act.
2. First bail application of the applicant was dismissed and withdrawn with liberty to revive the same after examination of the material witnesses.
3. The prosecution story, in brief, is that the brother of deceased lodged complaint in the police station stating therein that on 05.04.2019 he went to village for his agricultural work and while returning he saw the applicant and other co-accused person beating his brother Chintamani, nephew Manish and Narendra with knife, sword and wooden stick as a result of which Chintamani, brother of complainant, received injury on

his head and fell down on the spot and similarly nephew of the complainant also received grievous injury. Further case is that the complainant took the injured person to the hospital for their treatment where during treatment Chintamani died in the hospital.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He also submits that the present applicant was not present at the spot and the F.I.R. has been lodged to implicate all the family members of Sevaram. He also submits that there is no evidence regarding the presence of the applicant at the place of incident and the police has failed to produce any evidence against the applicant. It is next submitted that the applicant is in jail since 02.01.2020 and there is no likelihood of his case being decided in near future and, therefore, he may be released on bail.
5. On the other hand, State counsel opposing the bail application submits that complainant Bisahu Ram Chandrakar (PW/1) and Manish Kumar Chandrakar (PW/2) both have categorically stated against the applicant. He also submits that on the memorandum of the present applicant, one knife has been seized from the applicant.
6. I have heard learned counsel for the parties and perused the record.
7. Considering the totality of the facts and circumstances of the case, gravity of offence and further considering the evidence of witnesses, at this stage, I am not inclined to release him on bail.
8. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

**(Rajani Dubey)**  
**Judge**