

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1916 of 2020

- Rajesh Kumar Dhruv, S/o.Late Shri Chamru Dhruv, Aged about 30 years, Resident of Village Raitum, P.S. Patewa, District Mahasamund Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Patewa District Mahasamund, Chhattisgarh

---- Respondent

For Applicant	: Shri Mayank Chandrakar, Advocate
For Respondent/State	: Shri Sameer Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/06/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 201/2019 registered at police station Patewa, district Mahasamund (CG) for the offence punishable under Sections 302 IPC.

As per prosecution case, the applicant and the deceased are father and son. It is alleged that on the date of incident some altercation took place between them for selling the ancestral property and the applicant assaulted his father (since deceased) with a stick on the head as a result of which he died.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant was not having any intention to kill the deceased who was his father. He submits that the applicant is in jail since 16.11.2019, charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion therefore he may be granted bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of offence as alleged against the applicant, that too, he has killed his father, I am not inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge