

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1944 of 2020

- Ramnath Manikpuri, S/o. Late Boga, Aged about 55 years, R/o. Village Dharamur, PS Bhatgaon, district Surajpur CG

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Bhatgaon, district Surajpur Chhattisgarh.

---- Respondent

For Applicant	: Shri Gyan Prasad Shukla, Advocate
For Respondent/State	: Shri H.S.Ahluwalia, Dy.AG

Hon'ble Smt. Justice Rajani Dubey

Order On Board

04/08/2020

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.99/2019 registered at police station Bhatgaon, District Surajpur (CG) for the offence punishable under Section 302 IPC.

As per prosecution case, the applicant has committed murder of his wife by assaulting with fists, blows and wooden stick.

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. He further submits that in a

sudden provocation, the applicant assaulted the deceased as a result which she died. He submits that son of the applicant, who is the eyewitness to the incident has not supported the prosecution case. Lastly, he submits that the applicant is in jail since 03.6.2019; 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 released on 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 allegation against the applicant and the manner in which he committed the murder of his wife, 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