

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2085 of 2020**

- Toran Verma, S/o Kunjram Verma, Aged About 43 Years, R/o Village- Kaudiya, Police Station - Palari, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through : Police Station- Palari, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Varunendra Mishra, Adv.
For Respondent/State	:	Mr. Rahul Jha, G. A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.08.2020**

1. The accused/applicant has moved this **Second bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 230/2019 registered at Police Station- Palari, District- Balodabazar-Bhatapara, (C.G.) for the offence punishable under Sections 302, 201/34 of IPC.
2. The first bail application of the applicant was dismissed as withdrawn with liberty after examination of material prosecution witnesses vide order dated 11.02.2020 passed in MCRC No. 8/2020.
3. The prosecution story, in brief is that, an FIR was lodged against unknown person on the basis of merg-intimation, given by Shatrughan Lal Verma alleging therein that, on the roof of the house of Toran Verma, dead body of his daughter

namely Pushpa has been found and there is lacerated wound on her right side of head. Based on this, offence has been registered. Present applicant has been taken into custody on 12.06.2019.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that all the prosecution witnesses turned hostile except Dr. Pankaj Verma (PW/12) who supported the prosecution case. The applicant is in jail since 12.06.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application submitting that the death is homicidal and the offence registered against the applicant is of serious in nature, so, it is not a fit case to release him on bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, 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**