

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3138 of 2020**

- Ajaj Ali, S/o Niyaz Ali, aged about 29 years, R/o Near Amin, Kirana Store, Sanjay Nagar, Police Station – Tikrapara, District – Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station- Tikrapara Raipur, District- Raipur (C.G.)

---- Respondent

For Applicant : Shri Krishna Kumar Dixit, Advocate.
For Respondent : Shri H. S. Ahluwalia, Dy. A. G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/06/2020**

1. Heard on admission.
2. Admit.
3. 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 since 25.05.2019 in connection with Crime No.365/2019 registered at Police Station Tikrapara Raipur, District- Raipur (C.G.) for the offence punishable under Section 302 of IPC and Section 25, 27 of Arms Act.
4. As per the prosecution case, on 25.05.2019, at about 3:30 PM, the deceased met with applicant at his home and at that time, some disputes were taken place between them on loan amount.

Thereafter the applicant assaulted the deceased with knife as a result of which deceased fall on drainage and died.

5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that one prosecution witness has turned hostile. He also submits that the applicant is in jail since 25.05.2019, and, therefore, he may be released on bail.
6. On the other hand, State counsel opposes the bail application and submits that the crime committed by the applicant is of serious in nature and, therefore, he may not be granted bail.
7. I have heard learned counsel for the parties and perused the record.
8. Considering the totality of the facts and circumstances of the case, in particular the crime in nature, at this stage, I am not inclined to release him on bail.
9. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge

Ruchi