

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUROrder reserved on 15-09-2020Order delivered on 23-09-2020MCRC No. 3821 of 2020

1. Samaru @ Gopal Yadav S/o Tarachand, Aged About 19 Years
R/o Village - Buldega, Police Station - Bagbahar, District
Jashpur Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh, Through, Station House Officer Police
Station - Lailunga, District - Raigarh Chhattisgarh.

---- Respondent

For Applicant	Mr. Awadh Tripathi, Advocate
For Respondent /State	Mr. K.K. Singh, Govt. Advocate

(Proceedings through Video Conferencing)Hon'ble Mr. Justice Prashant Kumar MishraOrder On Board

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of CrPC, as he is arrested in connection with Crime No.233/2019, registered at Police Station Lailunga, Distt. Raigarh (CG), for the offence punishable under Section 302, 460, 34 of the Indian Penal Code.
3. As per the prosecution case co-accused Girdhari Yadav had old enmity with Munkuram (since deceased) and his wife

Rukmani (since deceased), therefore, he along with his friend Poonam Ram Yadav, Trinath Yadav, Sobhanan Yadav, Samaru @ Gopal Yadav (applicant herein) and Khileshwar Yadav went to the house of deceased on three motorcycles and committed murder of Munkuram, but since his wife awoke at this time she was also murdered.

4. On the memorandum statement of the present applicant his clothes and motorcycle used for traveling to the house of the deceased have been recovered. The incident has been narrated by the accused persons in their memorandum statement and different articles have been recovered from other accused persons. After committing the present crime the accused persons have also robbed one Sushil Thakur in the same night.
5. Considering that present is a case of double murder and the prosecution case is based on circumstantial evidence, which will be established at the stage of trial, this Court is not inclined to grant bail to the applicant.
6. Accordingly, the bail application is rejected.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri