

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3989 of 2020

- Rakesh Verma S/o Ramavatar Verma Aged About 30 Years
R/o Chandakhuri, P/s Mandir Hasud, District- Raipur,
Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through P/s- Kharora District- Raipur,
Chhattisgarh.

---- Respondent

MCRC No. 4968 of 2020

- Rajendra Yadav @ Badhiya S/o Late Channu Lal Yadav
Aged About 39 Years R/o Ward No. 11, Krishna Chowk,
Kharora, Police Station Kharora, District (Revenue And
Civil) - Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Kharora, District Raipur, Chhattisgarh.

---- Respondent

For Applicant in MCRC No.3989 of 2020:- Mr. L.K. Mishra,
Advocate

For Applicant in MCRC No.4968 of 2020:- Mr. Yogesh Pandey,
Advocate

For Respondent-State :- Ms. Fouzia Mirza, Addl.
A.G.

Proceedings through Video Conferencing
Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

02/09/2020

1. Since these two bail applications are arising out of same crime i.e. Cr.No. 01/2020 they are being considered and decided by this common order.
2. The applicants have preferred these applications under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with crime No.01/2020 registered in Police Station Kharora, Raipur, District: Raipur C.G. for the offence punishable under Sections 450, 302, 382, 34 of the I.P.C. and also Section 120-B of the I.P.C. in respect of the applicant in MCRC No.4968 of 2020.
3. As per the prosecution case, on the date of incident informant- Narendra Dubey had gone to drop his daughter Pratima at bus stand as she was to proceed for Raipur. During this time, the accused persons entered in the house of the informant; committed murder of his wife Smt. Sushil Dubey by causing injuries over her head by hard and blunt object ; and looted ornaments valued at Rs. 4 Lakhs and some cash.
4. It is argued that the applicants have not been identified, therefore, they are entitled to be released on bail.

5. Learned counsel appearing for the State would oppose the bail applications.
6. As per the material available in the case diary, the looted ornaments have been recovered from the accused persons which have been identified by the informant Narendra Dubey. Witness Radheshyam has identified the pulsar motor cycle which was seen at the place of occurrence and later on recovered on the memorandum statement of applicant Rakesh Verma. From the applicant – Rajendra Yadav looted gold ring has been recovered. The entire plan to commit offence was hatched in the shop of this applicant. The bail application of co-accused Mukesh Sonkar was dismissed as withdrawn by order dated 14.08.2020 in MCRC no.3395 of 2020.
7. Considering the material available in the case diary, no case for grant of bail to the applicants is made out.
8. Accordingly, both the bail applications are rejected.

Sd/-
(Prashant Kumar Mishra)
Judge

Ayushi