

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4438 of 2020

- Vinod Prasad Tati, S/o. Jeev Lal Tati, Aged about 52 years, R/o.Village Chhindand PS and Tahsil Baikunthpur District Koriya CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Police Station Baikunthpur, district Koriya CG

---- Respondent

For Applicant : Shri Pawan Shrivastava, Advocate
For Respondent /State : Shri Devendra Pratap Singh, Dy. AG

Hon'ble Smt. Justice Rajani Dubey

Order On Board

19/08/2020

The applicant has filed this second 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. 130/2019 registered at police station Baikunthpur District Koriya (CG) for the offence punishable under Sections 302 and 498(A) IPC.

His first bail application was rejected on merits vide order dated 23.01.2020 in M.Cr.C. No. 5313/2019.

As per prosecution case, the applicant committed murder of her daughter-in-law (deceased) as he was angry with her because his son is in custody on account of demanding dowry from the deceased.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant is in jail since 30.04.2019 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 that there is no change in the circumstances of the case, 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