

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4795 of 2020**

- Mukhtar Ahmed @ Lallu, S/o Late Shri Nasiruddin, Aged about 42 years, Caste Muslim, R/o village Mahgawa, PS & Tahsil Surajpur, District Surajpur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through: PS Surajpur, District Surajpur (C.G.)

---- Respondent

For Applicant : Mr. Surfaraj Khan, Advocate.

For Respondent/State : Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/09/2020**

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. 270/2019 registered at Police Station- Surajpur, District Surajpur (C.G.) for the offence punishable under Section 302 of the Indian Penal Code, 1860.
2. The first bail application of the applicant was dismissed as withdrawn with liberty to file the same at an appropriate state by this Court on 27.01.2020 in MCRC No. 7922/2019.
3. As per the prosecution case in brief is that on 06.08.2019, the present applicant is alleged to have murdered the deceased namely Shahida Bagam.
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 the present applicant has been arrested only on the basis of mere suspicion. He next submits that the applicant is in jail since 07.08.2019, there is no likelihood

of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application submitting that the present applicant did a very heinous crime, therefore, 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

Vasant