

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4674 of 2020**

1. Dharmendra Sahu, S/o Shri Chintaram Sahu, Aged about 31 years, R/o village Arand, PS Khallari, District Mahasamund (C.G.)
2. Ramgulal Dhruw, S/o Shri Ramji Dhruw, Aged about 32 years, R/o Arand, PS Khallari, District Mahasamund (C.G.)

---- Applicants**Versus**

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

---- Respondent

For Applicants : Mr. Dashrath Kushwaha, Advocate.
 For Respondent/State : Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/09/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 213/2019 registered at Police Station- Kharora, District Raipur (C.G.) for the offence punishable under Sections 302, 201, 34 of the Indian Penal Code, 1860.
2. As per the prosecution case in brief that on 28.05.2019, in the intervening night, the present applicants took the deceased Duleshwari Dhruw by motor cycle in deserted forest and committed murder.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that prima facie case is not made out against the present applicants, they have arrested only on the basis of suspicion. He next submits that both the applicants

are in jail since 07.06.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application submitting that the present applicants did a very heinous crime, therefore, it is not a fit case to release them on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. 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 them on bail.
7. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**

Vasant