

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4743 of 2020**

- Guruveer Singh, S/o Panna Lal, Aged about 25 years, R/o Village Rudayan, PS Islam Nagar (U.P.), Presently at 204, Kobra Battalion, Karanpur, District Bastar (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through: Station House Officer, PS Nagarnar, District Bastar (C.G.)

---- Respondent

For Applicant : Ms. Nirupama Bajpai, 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 first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 71/2019 registered at Police Station- Nagarnar, District Bastar (C.G.) for the offence punishable under Sections 302 and 201 of the Indian Penal Code, 1860.
2. As per the prosecution case, it is alleged that the present applicant has committed murder of his wife namely Anupriya Gautam by throttling, hence the police have registered the offence under Sections 302 and 201 of the IPC against the present applicant.
3. 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 prosecution has recovered suicidal note of the deceased even after the offence under Section 302 of the IPC has been registered instead of offence under Section 306 of IPC and he also submits that the learned

Court below has examined two witnesses in the present case in which who have not supported the version of this prosecution. He next submits that the applicant is in jail since 18.03.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. 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.
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 him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge

Vasant