

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5422 of 2020**

- Manish Markam aged about 29 years, S/o Mansingh Markam, R/o Village-Khamhariya, Police Station-Lalpur, District-Mungeli Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, P.S.- Lalpur, District-Mungeli, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ratnesh Kumar Agrawal, Adv.
For Respondent/State	: Mr. Devesh Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/09/2020**

1. The matter is heard through video conferencing.
2. 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. 4/2020 registered at Police Station Lalpur, District-Mungeli (C.G.) for the offence punishable under Section 302 of IPC.
3. The prosecution story in brief, is that on 08.01.2020 complainant Phoolbai lodged a report that on the date of incident i.e. 07.01.2020 the husband of the complainant came home on drunken condition, abuses her, at that time the elder son of the complainant namely Manish Markam came there and quarreled with his father, assaulted with leg and fist and with the napkin he squeezed the deceased throat, due to this her husband has died. Based on this offence has been registered against the present applicant and has been arrested on 08.01.2020.
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 applicant is in jail since 08.01.2020, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application submitting that the applicant did a very serious offence. The applicant squeezed his father's throat with a napkin, due to this deceased died, therefore, no case is made out to release the applicant 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**