

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6310 of 2020

- Mahfuj Aalam, S/o Mohd. Mustkim Musalman, Aged About 40 Years, R/o Benikala, Japla, Husainabad, at Present Address Subhashnagar, Charcha, P.S. Charcha, District Korea, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station Surajpur, District Surajpur, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri P. K. Patel, Advocate
Ms. Veena Nair, Dy. AG

Hon'ble Justice Shri Gautam Chourdiya

Order On Board

04/12/2020

1. The applicant has preferred this first bail application under Section 439 of CrPC, as he has been arrested in connection with Crime No.469/2019, registered at Police Station Surajpur, District Surajpur (C.G.) for the offence punishable under Sections 302, 201 & 120-B read with Section 34 of IPC.
2. The case of the prosecution in brief is that on 03.12.2019, the complainant Kaushal Singh informed the Police that near the farm of Surendra Singh, there is one black tempo inverted and in the steering seat, one dead body is placed. After the investigation, the merg was registered and the postmortem of the body was done. The death was homicidal in nature. During the

investigation, the applicant has admitted the fact that there was love affair between him and the deceased Tanwir Alam's wife Afsana Bano. They have killed him by giving blow by hammer over his head and thereafter the dead body was thrown in the tempo and it was inverted in the road side.

3. Considering the facts and circumstances of the case and looking to the entire material available on record; memorandum statement of the applicant recorded; the death homicidal in nature, evidence of Afsana Bano, wife of the deceased, and other witnesses, number of injuries found on the body of the deceased, I am not inclined to release the applicant on bail.
4. Accordingly, the bail application is rejected.

Sd/-
Gautam Chourdiya
Judge

Nirala