

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6538 of 2020

Janaki Uranv S/o Shri Rungatu, Aged About 45 Years R/o Jigadi,
Police Station Pasta, District Balrampur Ramanujganj Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Pasta, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For applicant - Shri Rishi Rahul Soni, Advocate.
For Respondent/State – Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/12/2020

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.34/2018 registered in Police Station Pasta, Balrampur-Ramanujganj (C.G.) for offence punishable under section 302 read with section 34 of Indian Penal Code.
2. As per the prosecution case, on 1/07/2018 one Lomaru Ram was assaulted by axe, spade etc. by the accused whereby he eventually died.
3. Learned counsel for the applicant submits that the eye witness was examined after more than one month and he is alleged to have seen the incident from a distance and he has wrongly identified the accused. He also submits that one Dayamuni has been enlarged on bail by the coordinate bench of this court in M.Cr.C. No.8103 of 2019 on 28/01/2020 and case of the applicant is also same, therefore the applicant may be released on bail.
4. Learned State counsel vehemently opposes the argument and would submit that according to the statement of Amresh Yadav at para 1 to 4 the eye witness has categorically identified the applicant including

Dayamuni who has been enlarged on bail and thereafter has stated that all the accused have assaulted and it has been rebutted in the cross examination.

5. Perused the documents. Perusal of statement of Amresh Yadav would show that the witness have identified the present applicant and the accused Dayamuni also who has been enlarged on bail and have stated that they have assaulted. Considering the statement, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE