

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6468 of 2020

Mahand Ram (Mahant Ram) S/o Sri Diba Ram Nagvanshi Aged
About 50 Years R/o Village Bataikela Parsapani, Police Station
Kansabel, District Jashpur Chhattisgarh.
--- Applicant

Versus

State of Chhattisgarh through Station House Officer Police Station
Kansabel, District Jashpur Chhattisgarh.
--- Respondent

For the applicant	:	Mr. Arun Kumar Shukla, Advocate
For the State	:	Mr. Amrito Das, Addl. Advocate General

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.12.2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 38/2020 registered at Police Station Kansabel, Distt. Jashpur (C.G) for the offences punishable u/ss 302, 201 of IPC.
2. As per the prosecution case, the applicant has committed murder of his son and tried to project that his son has died natural death. Subsequently it was discovered in postmortem that the death was a homicidal in nature.
3. Learned counsel for the applicant would submit that there is no direct evidence available against the applicant and he has been falsely implicated in this case.
4. On the other hand, learned State Counsel opposes the bail application.

5. Considering the place of incident i.e., the house of the applicant where the offence was committed and the postmortem report, I am not inclined to extend the benefit of section 439 of Cr.P.C. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**

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