

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 6767 of 2020

- Sitaram Rajwade alias Shital S/o Loknath Rajwade, aged 26 years, Resident of Village- Parsodi, P.S. Lakhanpur, Tahsil- Lakhanpur, District- Surguja (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, P.S. Lakhanpur, District- Surguja (C.G.)

---- State/Non-applicant

For Applicant : Shri Sandeep Dubey, Advocate

For Non-Applicant/State : Shri Dinesh Tiwari, Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

20.11.2020

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 172 of 2019, registered at Police Station- Lakhanpur, District Surguja for the offence punishable under Section 302 of IPC.
2. Allegation against the present applicant is that on 08.11.2019, the applicant has committed murder of deceased Kamlesh by means of iron rod (*sabhal*). The incident was witnessed by mother of the deceased namely Nahnu Bai and one Savitri.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in the crime in question and no incriminating material against the applicant which held him guilty for commission of offence under Section 302 of IPC. Therefore, the applicant be released on bail.
4. On the other hand, learned counsel for the State opposes the bail

application.

5. I have heard the learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, further considering the fact that the statements of Nahnu Bai (mother of the deceased) and one Savitri Bai, this Court is of the view that present is not a fit case to release the applicant on bail. Accordingly, the application is rejected.

Sd/-
(Gautam Chourdiya)
Judge

vatti