

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6755 of 2020**

- Phool Singh Chhedaiya S/o Late Jhunawa Ram Aged About 47 Years R/o L.I.G.-269, Deendayal Colony, Mangla, Bilaspur, District- Bilaspur Chhattisgarh, Permanent R/o Village - Amora, Tahsil - Pathariya, District- Mungeli Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station - Civil Lines, Bilaspur, District - Bilaspur Chhattisgarh

---- Respondent

For Applicant	:	Mr. Malay Shrivastava, Advocate
For State	:	Mrs. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****17.12.2020**

Heard

1. This is the third bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant as he is arrested on 08.06.2020 in connection with Crime No. 379/2020 registered at Police Station Civil Line District Bilaspur (C.G.) for the offence punishable under Sections 302, 201 and 120-B of IPC.
2. As per the prosecution case, the applicant owed money from the deceased Gulab Singh and decided to recover the same. He called him to his house with a conspiracy to kill him. When the

deceased Gulab Singh went to the house of the applicant, both consumed liquor and the deceased was made to drunken state thereafter the applicant has caused assault on head of Gulab Singh by a hammer and as a result of which he died. Thereafter his dead body was kept in a jute bag in the kitchen. Subsequently, the seizure of the uniform, shoes, motor-cycle were made at the instance of the applicant.

3. Learned counsel for the applicant submits that the Dehati Nalishi was made on 06.06.2020 wherein entire story has been stated whereas on the basis memorandum the crime came to fore which is a subsequent on the subsequent date therefore completely false story has been made.
4. Learned State counsel submits that at the instance of the applicant, motor-cycle and the uniform of the deceased Gulab Singh from the open space was recovered and both of them were last seen together by one Ishan.
5. Perused the case diary. Considering the nature of recovery and their last seen and also recovery which was made at the instance of applicant and dead body was at the house of applicant, no case for grant of bail to the applicant is made out, therefore, I am not inclined to grant bail to the applicant. Accordingly, the bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge