

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6764 of 2020**

Yugal Kumar Yadav @ Sonu, S/o. Shri Fekuram Yadav, Aged About 38 Years, R/o. Ward No. 12 Kundrapara Lormi, Thana - Lormi, District - Mungeli Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station - Lormi, District - Mungeli Chhattisgarh.

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocate.

For Respondent/State : M. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

17.12.2020

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 25.01.2020 in connection with Crime No.34/2020 registered at Police Station- Lormi, District Mungeli, for the offence punishable under Section 302, 201 of Indian Penal Code.
2. As per the prosecution case, on some dispute the applicant had assaulted his wife and committed murder on 27.12.2019 and thereafter kept the body at the Bathroom and said that she slipped in the Bathroom and sustained injuries, however, the daughter of the applicant and the deceased narrated the incident.
3. Learned counsel for the applicant submits that there is no eye witness in this case and only on the statement of the minor child, the offence is alleged to have been committed; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the daughter of the deceased namely Ku. Khusbu. After perusal of the same, she appears to be eye-witness and narrated the incident and further taking into the post mortem report, I am not inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge

Ashok