

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7101 of 2020

- Rooplal Cherva, S/o Sukhanasay Cherva, aged about 42 Years, R/o Village Kamarji, Tahsil Bharatpur, Thana- Kotadol, District- Koriya, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Police Station- Kotadol, District- Koriya, Chhattisgarh.

---- Respondent

For Applicant	Mr. Parag Kotecha, Advocate.
For State	Ms. Veena Nair, Dy. A. G.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

01/12/2020

1. The applicant has preferred this application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.16/2018 registered at Police Station- Kotadol District- Koriya, C.G. for the offence punishable under Section 302 of Indian Penal Code.
2. Allegation against the applicant is that the applicant had caused fatal injury to his wife Injoriya Bai and thereafter put the finger on her private part. On report being lodged to the above effect, offence under the aforesaid sections have been registered against the applicant.
3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this case. In

this case, charge sheet has already been filed. There is every likelihood that conclusion of the trial is likely to take some time, therefore, the applicant be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application and submitting that the offence committed by the applicant is of serious in nature.
5. Considering the facts and circumstances of the case, looking to the extra judicial confession by the applicant and further considering the facts that the trial is in progress as most of the witnesses have been examined before the trial Court so far, without commenting anything on merits of the case, this Court is of the opinion that present is not a fit case for grant of bail to the applicant.
6. Accordingly, the application MCRC No.7101 of 2020 is rejected.

Sd/-
Gautam Chourdiya
Judge