

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6817 of 2019**

- Yogesh Chakradhari S/o Naresh Chakradhari Aged About 20 Years Resident Of Old Gaurela, P.S. Gaurela, Tahsil And District Bilaspur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The District Magistrate, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ritesh Verma, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.
For Objector	:	None.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22/05/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 170/2019 registered at Police Station Gaurela, District-Bilaspur (C.G.) for the offence punishable under Sections 302, 201, 34 and 120(B) of IPC.
2. The prosecution story, in brief is that, the uncle of the deceased lodged an F.I.R. against the applicant and two other co-accused persons that, someone informed him about the incident when he was not in his shop. The incident is that three persons came in to the Photo Studio of deceased and stabbed his nephew several times with knife, due to this, his nephew died immediately. Thereafter, Sanjay uncle of the deceased informed his brother and went to see the deceased. Where the found deceased has died. Present applicant has been taken into custody on 20.06.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in

question. He further submits that the applicant is a 20 years young boy and there is no eye witness of the case. He next submits that the applicant is in jail since 20.06.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application submitting that the applicant did a very heinous crime and prima facie it appears that applicant has involved in this case. He further submits that if the applicant may be released on bail then he can be tempted the evidence of the case so, it is not a fit case to release him on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**