

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8330 of 2019**

Ramawatar Chakradhari, S/o Late Dadiram, Aged about 60 years, R/o Village – Mandirhasoud, Police Station – Mandirhasoud, Tahsil – Arang, Distt. Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station – Khallari, Distt. Mahasamund (C.G.)

----Respondent

For Applicant	:	Mrs. Smita Jha, Advocate
For Non-applicant	:	Mr. Sameer Sharma, Dy. Govt. Advocate.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/02/2020

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 15/2018 registered at police Station Khallari, Distt. Mahasamund (C.G.) for the offence punishable under Sections 302, 201, 364, 395, 120B & 201/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant, in conspiracy with the other co-accused persons, committed murder of Jagdish Minj (since deceased) in the name of “*Jhad Fook*” and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question as there is no incriminating evidence available on record to connect the applicant with the crime in question. He submits that applicant is in jail since 24.01.2018; charge sheet has already been filed and therefore the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that applicant has actively

participated in the crime in question and, therefore, the applicant is not entitled for regular bail.

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(6) Taking into consideration the nature and gravity of the offence and the manner in which the offence of murder is alleged to have been committed by the applicant in the name of "*Jhad Fook*", I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Sd/-

(Rajani Dubey)
Judge

D/-

