

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 264 of 2020**

- Gurudev Prasad Son Of Manohar Ram Aged About 25 Years Resident Of Badki Mahri, Police Station- Balrampur, District- Balrampur-Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Balrampur, District Balrampur-Ramanujganj Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Aditya Chopda, Advocate.
For Respondent/State	:	Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.02.2020**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 108/2018 registered at Police Station : Balrampur, District- Balrampur- Ramanujganj (C.G.) for the offence punishable under Sections 302, 294, 506, 323, 34 of the IPC.
2. The allegation against the present applicant, as per the written report lodged by the complainant is that, due to some dispute, the present applicant with co-accused persons have started hurling abuses to the deceased and assaulted him due to that, he sustained grievous injuries, consequently, he died. On the basis of said complaint, after investigation, offence has been registered against the applicant and he has

been arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that the applicant had no intention or motive to commit murder of the deceased. Applicant is in jail since 24.06.2018 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
4. On the other hand, State counsel strongly opposes the bail application and submits that looking to the gravity and nature of the crime the applicant may not be granted bail.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature and gravity of the case, detention period of the applicant, 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**