

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 147 of 2021**

- Shailendra Netam, S/o Shri Bhagwani Netam, aged about 27 Years, Caste Gond, R/o Village Kanwar, Police Chowki Kanwar, Police Station/ Tehsil Gurur, District Balod, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station Gurur, District Balod, Chhattisgarh.

----Non-applicant

For Applicant	Shri Avinash Chand Sahu, Advocate.
For State	Shri Dinesh Tiwari, Deputy G.A.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****11/02/2021**

1. The applicant has preferred this application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.165/2020 registered at Police Station- Gurur, District Balod, C.G. for the offence punishable under Section 302 of Indian Penal Code.
2. Allegation against the applicant is that on 02.05.2020 at about 3:00 pm he committed murder of his wife Preeti Netam by pressing her neck.
3. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that there is no eyewitness in this case or circumstantial evidence to connect the applicant with the crime in question. The

applicant is in jail since 13.05.2020, charge sheet has already been filed and conclusion of the trial is likely to take some time. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State as well as the Objector oppose the bail application.
5. Heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the memorandum of the applicant where he admitted that he alongwith his wife was in a separate room where he committed her murder by pressing her neck and the postmortem report also confirms the death of the deceased by strangulation, without commenting anything on merits of the case, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application stands dismissed.

Sd/-
Gautam Chourdiya
Judge