

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1251 of 2021

1. Tulli @ Tuleshwar Singh S/o Prem Singh Gond, Aged About 19 Years, R/o Kuridih, Police Station Bhaiyathan, District Surajpur (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through Police Station Patna, District Koriya (C.G.).

---- Respondent

For Applicant	:	Mr. Kaushal Yadav, Advocate.
For Respondent/State	:	Ms. Deepti Shukla, Panel Lawyer.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

30/06/2021

- 1) The matter is heard through video conferencing.
- 2) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in custody since 17/05/2020 in connection with Crime No. 108/2020, registered at Police Station Patna, District Koriya (C.G.) for the offence punishable under Sections 302, 294, 506, 323/34 of Indian Penal Code.
- 3) Case of the prosecution, in brief, is that on the date of incident i.e. on 15/05/2020, the applicant alongwith other co-accused persons assaulted the deceased Manglu with club, hands and fists and thereby caused his death. On report being lodged to the above effect, offence has been registered against the accused persons.
- 4) Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this case. He

submits that the applicant is in jail since 17/05/2020, charge sheet has been filed and conclusion of the trial is likely to take some time. Therefore, the present applicant be released on bail.

- 5) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 6) I have heard the learned counsel appearing for the parties.
- 7) Considering the facts and circumstances of the case, as per evidence on record both accused Nanda @ Dilbhan Singh and the present applicant Tulli @ Tuleshwar Singh assaulted upon deceased Manglu, therefore without commenting anything on merits of the case, this Court is not inclined to release the applicant on bail. Accordingly, the application is **rejected**.

**-Sd/-
(Gautam Chourdiya)
Judge**

Chandrakant