

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

• **MCRC No. 1503 of 2021**

- Lallan Gupta S/o Deendayal Gupta Aged About 40 Years R/o Gandhi Chowk, Raja Talab, Raipur District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Fingeshwar, District Gariyaband Chhattisgarh

---- Respondent

For Applicant	:	Mr. A.D. Kuldeep, Advocate
For State	:	Mr. Ravish Verma, G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/09/2021

Heard.

1. The applicant has moved this application for grant of bail as he is arrested in connection with Crime No.50/2017 registered at Police Station- Fingeshwar, Civil and Revenue District- Gariyaband, (C.G.) for the alleged commission of offence under Sections 302 & 201 of IPC.
2. Prosecution case is that the applicant had taken the deceased along with him and he was murdered and dead body was burnt.
3. Learned counsel for the applicant would submit that the prosecution case is founded on weak circumstantial evidence of the applicant having seen going towards particular direction along with the deceased and a wallet seized from the spot of dead body said to be that of the applicant. He would argue that by now about 18 witnesses have been examined but the trial has not been concluded and is not likely to be concluded early. He would next submit that the manner in which the prosecution witnesses so far examined have stated no prima facie case has been made out against the applicant.
4. On the other hand, learned State counsel opposes and submits that the material evidence of CCTV footage showing that the deceased had gone

along with the applicant towards the direction where at some distance dead body was found and other evidence including the incriminating material that the applicant's wallet was found at the spot on the basis for prosecution of the applicant and if the applicant, at this stage, is granted bail, he may flee away and the trial may be hampered.

5. Taking into consideration the submissions of learned counsel for the parties, particularly taking into consideration the nature and gravity of allegation, at this stage, I am not inclined to grant bail to the applicant.
6. The bail application is accordingly rejected.
7. However, taking into consideration that the applicant is in jail since long the learned trial Court is directed to expeditiously conclude the trial within outer limit of four months.

Sd/-
(Manindra Mohan Shrivastava)
Judge