

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1977 of 2021**

- Sunil Sharma S/o Rameshwar Prasad Sharma, Aged About 38 Years R/o Village Parasapali, Sonthi, Police Station Sonthi, Tahsil And District Bilaspur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Station House Officer, Police Station Sipat, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant. : Mr. Ashok Dixit, Advocate.
 For Respondent/State : Mr. B.P. Banjare, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.06.2021**

The applicant has filed **Third Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 381/2019 registered at Police Station: Sipta, Civil and Revenue District Bilaspur (C.G.) for the offence punishable under Section 302 of the IPC.

The second bail application of the applicant was dismissed as withdrawn on 31.08.2020 passed in MCRC No. 2867/2020.

As per the prosecution case, the allegation against the present applicant is that he assaulted the deceased by hand, fist and gas lighter on her stomach and other parts of body due to which she sustained severe multiple injuries on her body and thereafter she died.

Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated in the case. He would next contend that in the second bail application of the applicant, six months' time was given to the trial Court but the trial has not been concluded yet, the applicant is in jail 18.10.2019, therefore, the present applicant may be released on bail.

Per contra, learned State counsel opposes the bail application and submits that PW-1 Kumari Roshni Kanwar, the eye witness, has been examined before the trial Court and in her statement she clearly stated against the present applicant, therefore, the present applicant may not be granted bail.

I have heard learned counsel for the parties and perused the case diary.

Considering the totality of the facts and circumstances of the case, nature and gravity of the crime, at this stage, I am not inclined to release the present applicants on bail.

Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**