

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3646 of 2021**

- Yogesh Kumar Tandon, S/o Rajendra Tandon, aged about 25 Years, R/o Village Machaha, Police Station Sargaon, District Mungeli, Chhattisgarh.

----Applicant**Versus**

- State of Chhattisgarh, Through Station House Officer, Police Station Sargaon, District Mungeli, Chhattisgarh.

---Non-applicant

For Applicant	Mr. G.L. Uike, Advocate.
For State	Dr. (Ms.) Veena Nair, Deputy A.G.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

29/07/2021

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this second bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.172/2020 registered at Police Station- Sargaon, District Mungeli, C.G. for the offence punishable under Sections 302 & 201 of Indian Penal Code. The earlier bail application i.e. MCRC No.9109 of 2020 was dismissed as withdrawn vide order dated 02.03.2021.
3. Case of the prosecution, in brief, is that on 25.05.2020, the marriage of deceased Sunil Dhritlahre was fixed with Minimala Banjare, daughter of Munnalal Banjare of village Noniya Kachhar. On 16.05.2020, the dead body of Sunil Dhritlahre was found in the Anicut of village Khapri-putputa. It is alleged that the applicant was having

love relation with Minimala Banjare and, therefore, he committed murder of the deceased and in order to conceal the evidence of the crime, threw the dead body of deceased in Anicut. On the basis of his memorandum, he has been arrested by the police.

4. Learned counsel for the applicant submit that applicant is an innocent person and has been falsely implicated in this case. He submits that the essential ingredients for attracting the alleged offence are missing in this case. The applicant is in jail since 23.05.2020 and due to COVID-19 pandemic, conclusion of trial is likely to take some time. Therefore, the applicant be released on bail.
5. Learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the nature of allegation against the present applicant, the fact that number of witnesses have already been examined before the trial Court so far and the trial is in progress, which is likely to be concluded in near future and that the evidence on record cannot be appreciated by this Court at this stage, without commenting anything on merits of the case, I am not inclined to release the applicant on bail.
8. Accordingly, the bail application is rejected.

Sd/-
Gautam Chourdiya
Judge