

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3514 of 2021

- Ghanshyam Sinha son of late Shri Mahangu Sinha, aged about 35 years, resident of Khairjithi, Police Station Ghumka, District Rajnandgaon (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through : Station House Officer, Police Station Ghumka, District Rajnandgaon (C.G.)

---- State/Non-applicant

For Applicant : Shri C.R. Sahu, Advocate

For Non-Applicant/State : Shri Anand Verma, Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

20.07.2021

1. The application is heard through Video Conferencing.
2. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 23.09.2020 in connection with Crime No. 198/2020 registered in Police Station Ghumka, District Rajnandgaon (CG) for the offence punishable under Sections 302 & 201 of IPC.
3. Case of the prosecution is that on 22.09.2020, the applicant committed murder of deceased Dinesh Sinha by assaulting with spade on his head and thereafter by pouring kerosene on his body, set him on fire to cause disappearance of the evidence of crime. Based on this, an offence has been registered and the applicant was arrested.
4. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the crime in question. He further submits that the prosecution witnesses have not supported the prosecution case. He also submits that the applicant is in jail since 23.09.2020, charge has already been filed and due to Covid-19 pandemic, conclusion of the trial

is likely to take some time, therefore, the applicant be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Considering the facts and circumstances of the case, looking to the fact that charges have been framed against the applicant, trial is in progress in this case and in near future case is likely to be disposed of by the trial Court, the evidence so far recorded before the trial Court cannot be appreciated at this stage by this Court, therefore, I am not inclined to grant bail to the applicant.
7. Accordingly, the bail application is dismissed.

Sd/-
(Gautam Chourdiya)
Judge