

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6196 of 2020

Doman Thakur S/o Nakul Thakur Aged About 20 Years R/o
Rewadih, Police Station Lalbag, District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Lalbag , District Rajnandgaon Chhattisgarh.

---- Respondent

For applicant - Shri Aditya Bharadwaj, Advocate.
For Respondent/State – Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/01/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 436/2018 registered in Police Station Lalbag, District Rajnandgaon (C.G.) for offence punishable under section 302, 34 of IPC.
2. As per the prosecution case on 8/11/2018 the applicant alongwith other co-accused has assaulted one Domendra Yadav, thereafter he died.
3. Learned counsel for the applicant submits that two eye witness namely Tulsi Yadav and Divya have not supported the case of the prosecution and this applicant has been falsely implicated in the case, therefore he may be released on bail.
4. Learned State counsel opposes the argument and refers to the statement of Tulsi and Divya. She submits that IO still remains to be examined and 16 witnesses have already been examined.
5. Considering the fact that most of the witnesses have been examined, therefore this Court while hearing the bail cannot usurp the power of the trial court to hold a trial to examine the evidence. Considering

the number of witness already examined, I am not inclined to entertain this bail application.

6. Accordingly, the bail application is dismissed. However, the learned trial court is requested to expedite the trial.

Sd/-
(Goutam Bhaduri)
JUDGE