

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6645 of 2021

1. Chetan Lal Verma S/o Late Baisakhu Verma, Aged About 48 Years, R/o Village Koni, Police Station Bhatapara (Gramin), District Baloda Bazar-Bhatapara (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through S.H.O. Bhatapara (Gramin) District Baloda Bazar-Bhatapara (C.G.).

---- Non-Applicant

For Applicant : Mr. Hemant Gupta, Advocate.

For Non-Applicant/State : Mr. Adil Minhaj, Govt. Advocate

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

25/10/2021

- 1) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in custody since 15/02/2020 in connection with Crime No. 54/2020, registered at Police Station Bhatapara (Gramin), District Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Sections 302 & 201 of Indian Penal Code.
- 2) As per the prosecution case, on 14/01/2020 complainant Netram Verma was informed over telephone by his brother Dinesh Verma that Sushila Verma, wife of the complainant has been thrown in the agriculture field after being killed. During investigation on the report of the complainant, the applicant was arrested and his memorandum was recorded which led to recovery of the weapon of offence axe.
- 3) Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this case. There is no direct evidence showing involvement of the applicant

in the crime in question and he has been arrested merely on the basis of the suspicion. He submits that the applicant is in jail since 15/02/2020, charge sheet has already been filed, there is no apprehension of his tampering with the prosecution evidence or influencing the witnesses and conclusion of the trial is likely to take some time. Therefore, the present applicant be released on bail.

- 4) On the other hand, learned counsel for the State opposes the bail application.
- 5) I have heard the learned counsel appearing for the parties.
- 6) Considering the facts and circumstances of the case, looking to the memorandum statement of the present applicant, recovery of weapon of offence axe on his memorandum, the recovery of jeweleries of the deceased sold by the applicant to the Jewellers, cause of death of the deceased as per postmortem report and other material available in the case dairy, without commenting anything on merits of the case, this Court is not inclined to release the applicant on bail. Accordingly, the application is **rejected**.

-Sd/-
(Gautam Chourdiya)
Judge

Chandrakant