

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6811 of 2020

Ratu Paikra S/o Anand Paikra Aged About 24 Years R/o Village Ghatgaon, Police Station Shankargarh, District Balrampur-Ramanujganj Chhattisgarh. --- **Petitioner**

Versus

State Of Chhattisgarh Through Station House Officer Police Station Shankargarh, District Balrampur-Ramanujganj Chhattisgarh. --- **Respondent**

For the applicant	: Mr. Arun Kumar Shukla, Advocate
For the State	: Mr. Somkant Verma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.01.2021

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 125 of 2018 registered at Police Station Shankargarh, Distt. Balrampur-Ramanujganj (C.G) for the offences punishable u/ss 302, 34 of IPC.
2. As per the prosecution case, the applicant and other accused have committed murder of one Jagmohan Paikra by assaulting him with club and Axe on his head.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and there is no eye witness to this case and only seizure of club has been made from the present applicant, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail and submits that the bail application of other

similarly placed accused namely Pahar Singh Paikra @ Suraj has been rejected by the Coordinate Bench of this Court in M.Cr.C.no.1883 of 2020 on 26.6.2020. He went through the statement of Raj Kumar and would submit that at the place of incident he was present and heard the voice of deceased Jagmohan that the present applicants are assaulting him and before that accused brought the Axe.

5. Considering such statement of Rajkumar and the fact that the coordinate Bench has already rejected the bail application of similarly placed accused, I am not inclined to enlarge the applicant on bail. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**