

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7018 of 2020**

1. Bablu @ Ranu Yadav S/o Gopal Yadav, Aged About 25 Years, R/o Baradwar, Tahsil Shakti, District Janjgir-Champa (C.G.).
2. Nirmal Yadav S/o Ramlal Yadav, Aged About 27 Years, R/o Village Ward No. 21 Champa, P.S. & Tahsil Champa, District Janjgir-Champa (C.G.).

**---- Applicants**

**Versus**

1. State Of Chhattisgarh, Through Station House Officer, P.S. Baradwar, District Janjgir Champa (C.G.).

**---- Respondent**

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| For Applicants       | : Shri Rahil Arun Kochar, Advocate.           |
| For Respondent/State | : Dr. (Ms.) Veena Nair, Dy. Advocate General. |

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**Hon'ble Justice Shri Gautam Chourdiya**

**Order on Board**

**08/01/2021**

- 1) The applicants have preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No. 38/2020, registered at Police Station Baradwar, District Janjgir Champa (C.G.) for the offence punishable under Sections 302, 323/34 of IPC.
- 2) The prosecution story in brief, is that on 03/02/2020 at around 04:30 PM when deceased Dilchand was going by motorcycle alongwith grand son towards the canal, the present applicants assaulted him with club and thereby committed his murder. On report being lodged to the above effect, offence under the aforesaid section have been registered against the applicants.
- 3) Learned counsel for the applicants submit that applicants are innocent person and have been falsely implicated in this case. The applicants are in jail since 04/02/2020, charge sheet has

already been filed and conclusion of the trial is likely to take some time. Therefore, the present applicants be released on bail.

- 4) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 5) I have heard the learned counsel appearing for the parties and perused the case diary.
- 6) Considering the facts and circumstances of the case, the gravity of the offence, in particular the statement of the eye witness Kanika Yadav and other witnesses available in case diary, this Court is of the opinion that present is not a fit case to release the applicants on bail. Accordingly, the application is rejected.

**-Sd/-**  
**(Gautam Chourdiya)**  
**Judge**

Chandrakant