

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6882 of 2021**

1. Deepak Tiwari @ Sonu, S/o Goverdhan @ Shankar Tiwari, aged about 21 Years,
2. Premraj Dewangan @ Manne, S/o Tetku Dewangan, aged about 20 Years,

Both are R/o - Shiv Nagar, Changorabhata, Raipur, District – Raipur, Chhattisgarh.

---Applicants**Versus**

- State of Chhattisgarh, Through - Police Station - D.D. Nagar, Raipur, District – Raipur, Chhattisgarh.

----Non-applicant

For Applicants	Shri P.K. Patel, Advocate with Shri Dashrath Kushwaha, Advocate.
For State	Shri Anand Verma, Deputy G.A.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

27/10/2021

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. as they have been arrested in connection with Crime No.420/2020 registered at Police Station- D.D. Nagar, Raipur, District Raipur, CG. for the offence punishable under Section 302 read with 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the present applicants on account of there being previous enmity with the deceased-Rajesh @ Raju with common intention committed his murder by assaulting him with iron rod and club. On report being lodged to the above effect, offence under the aforesaid sections have been registered against the

applicants.

3. Learned counsel for the applicants submit that applicants are innocent persons and have been falsely implicated in this case. They submit that there is no direct proof of applicants involvement in the alleged crime. The applicants are in jail since 14.11.2020 and conclusion of trial is likely to take some time. Therefore, the applicants be released on bail.
4. On the other hand, learned counsel for the State opposes the bail applications.
5. Heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, the gravity of the offence, the named FIR against the present applicants, the material so far collected against the applicants, the fact that number of witnesses have already been examined before the trial Court so far and the trial is in progress, which is likely to be concluded in near future and that the evidence on record cannot be appreciated by this Court at this stage, without commenting anything on merits of the case, I am not inclined to release the applicants on bail.
7. Accordingly, the bail application is rejected.

Sd/-
Gautam Chourdiya
Judge

