

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7817 of 2020

- Sanjay Singh Rajput S/o Purshottam Singh Rajput Aged About 19 Years R/o Village- Harnachaka, P.S.- Lalpur, Tehsil- Lormi, District- Mungeli, Chhattisgarh

----Applicant

Versus

- The State Of Chhattisgarh Through Police Station- Lalpur, District Mungeli, Chhattisgarh

---- Respondent

For Applicant - Shri A.K. Prasad, Advocate.

For Respondent - Shri Ravish Verma, Government Advocate.

Hon'bel Shri Justice Prashant Kumar Mishra
Order On Board

21/01/2021

1. Heard.
2. The applicant has preferred this bail application under Section 439 of the C.r.P.C., as he has been arrested in connection with Crime No.136/2020, registered at Police Station Lalpur, District -Mungeli (C.G.) for the offence punishable under Sections 302, 149, 201, 120B/34 of the Indian Penal Code.
3. Case of the prosecution in brief is that on 06.07.2020 at about 10 pm, Baldev Singh Rajput heard noise of his brother coming from Community Hall of his village. He rushed to the Community Hall and found three persons namely, Khorbahra @ Mahetaru, Gopal Singh Rajput, Sanjay @ Phosa Singh Rajput running out from the Hall with arms and weapons.

When he entered the Hall, he saw his brother Kailash Singh lying on the cot with injuries. Merg was intimidated and on that basis FIR was registered. During the course of investigation, based on the statement of witnesses, present applicants are arrested in the aforementioned crime.

4. Shri Prasad, learned counsel for the applicant submits that statement of Baldev Singh Rajput is not sufficient to incriminate the applicant in the present crime. He submits that applicant has no enmity with the deceased or his family, therefore, there was no occasion for him to participate in the present crime.
5. Per contra, learned State counsel would read out the statement of Baldev Singh Rajput. He would submit that this applicant was seen along with two other accused namely Khorbahra @ Mahetaru and Gopal Singh when they were coming out of the community hall where the murdered dead body of the deceased was seen by witness Baldev Singh Rajput immediately after the occurrence.
6. Considering the evidence available in the case diary, this Court is not inclined to release the applicant on bail at this stage.
7. Accordingly, the bail application is dismissed with liberty to revive the prayer after examination of Baldev Singh Rajput.

SD/-

(Prashant Kumar Mishra)
Judge

Amardeep