

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.7932 of 2020**

- Ramesh Paikra S/o Guman Singh Paikra Aged About 41 Years R/o Temri, Police Station Kasdol, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Kasdol, District Balodabazar Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicant: Shri B. Madhav Rao with Shri Basant Kaiwartya, Advocates
 For Respondent/State: Shri Shubham Verma, Panel Lawyer

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****28/01/2021**

Heard.

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.414/2020 registered at Police Station Kasdol, District Balodabazar-Bhatapara for the offence punishable under Section 302 & 201 of IPC. The applicant was arrested on 15-07-2020.
2. Prosecution case is that the applicant and his father-in-law (deceased) had frequently quarreled after intoxication. It is stated that on 21-06-2020, quarrel had taken place between the deceased and his son-in-law in the village and later on, the applicant being suspect was taken into custody and on whose memorandum, dead body was exhumed.
3. Learned counsel for the applicant would argue that the prosecution case is based on the statement of witnesses-Sangita and one another, who kept mum for a long time without disclosing anything and it is only when the dead body was recovered, the prosecution witnesses started making fabricating story against the present applicant. It is further submitted that as far as alleged recovery of dead body and its exhumation from the spot stated by the applicant is concerned, is also false, because neither any memorandum has been

recorded nor any recovery has been made on the basis of memorandum.

4. On the other hand, learned counsel for the State/non-applicant opposes the bail application by submitting that apart from the statement of witnesses- Sangita and one another, according to the prosecution, when the applicant being suspect was taken into custody and his memorandum was recorded, on his disclosure, dead body was exhumed from the spot stated by the applicant.

5. Taking into consideration the nature and gravity of offence, in which, the applicant is alleged to have involved, no case for grant of bail is made out.

6. Accordingly, the application is rejected.

Certified copy as per rules.

SD/-
(Manindra Mohan Shrivastava)
Judge