

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.8112 of 2020

Dharmendra Gayakwad S/o. Shri Jeewan Lal Gayakwad Aged About 19 Years R/o Sheetalapara Hatkeshwar, Thana, Tahsil And District-Dhamtari (Chhattisgarh) ---- **Applicant**

Versus

State Of Chhattisgarh Through, Station House Officer, Police Station-Dhamtari, Distt.- Dhamtari (Chhattisgarh) ---- **Respondent**

For Applicant	:	Shri Sumit Shrivastava, Advocate
For Respondent/State	:	Shri Praveen Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

25/02/2021

Heard.

1. The applicant has been arrested in connection with Crime No.424/2019 registered at Police Station- Dhamtari, District Dhamtari (CG) for the alleged commission of offence under Section 302/34 of IPC and Section 25 & 27 Arms Act.
2. Case of the prosecution is that the applicant assaulted the deceased with the help of a knife and killed.
3. Learned counsel for the applicant would argue that the applicant has been falsely implicated, so-called eyewitnesses are concocted witnesses and he has not committed any offence. He would further submit that charge-sheet has been filed and co-accused though juvenile has been granted bail.
4. On the other hand, learned counsel for the State opposes the prayer and submit that the prosecution case is based on the eyewitness account who has clearly stated regarding assault by the applicant on the deceased due to which deceased died.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the material contained in the charge-sheet, present is not a fit case for grant of bail to the applicant. Therefore, the application is rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge