

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.8049 of 2021

Rajkumar @ Chauhaki S/o Lamru Aged About 35 Years R/o Village Pachaval,
Thana Balrampur, District Balrampur - Ramanujganj (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Balrampur, District Balrampur
Ramanujganj (Chhattisgarh),

---- Non-Applicant

For Applicant: Shri Sanjay Yadav, Advocate.
For Non-Applicant/State : Shri DC Verma, GA.

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

29.10.2021

1. This is the 1st bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the Applicant, who has been arrested in connection with Crime No.31/2019 registered at Police Station – Balrampur, District Balrampur, Ramanujganj, Chhattisgarh for the offence punishable under Sections 302 and 201/34 IPC.
2. Prosecution case in brief is that on 16.11.2018, when the dead body of the deceased Ankit Khujur was found at Madhitongri by the Complainant, he informed the same to the police, whereupon crime was registered against an unknown person. During investigation, on the basis of memorandum and statement of other witnesses, the accused/Applicant was found to have committed the said murder and therefore, the offence under Sections 302 and 201/34 IPC has been registered against him.
3. Learned Counsel for the Applicant submits that the Applicant has no

connection with the crime in question at all and has been falsely implicated in the same for which, he is in jail since 29.12.2020. He further submits that charge sheet has been filed and co-accused Fuleshwari Devi and Shivbalak @ Natwa have already been granted bail by this Court vide order dated 07.09.2021 passed in M.Cr.C No.4904/2021 and therefore, the present Applicant may also be released on bail on similar grounds.

4. Per contra, learned Counsel for the State while opposing the bail application submits that witness Yadiyus Ekka has specifically stated in his statement that one Chauhanki @ Rajkumar is against the love affair of Ankit Khujur with his daughter Rulita and one Jugeshwar has also stated that he has seen the present Applicant hiding the dead body of the deceased, therefore, the present Applicant is not entitled to be released on bail.

5. Considering the facts and circumstances of the case, looking to the nature of evidence, the seriousness of the offence committed, I am not inclined to grant regular bail to the Applicant.

6. Accordingly, the instant bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-

(Deepak Kumar Tiwari)
Judge

Priya