

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8612 of 2020

- Raghuveer @ Raghu Nishad S/o Bhagwat Nishad Aged About 20 Years R/o Rajendra Ward, Mungeli, Police Station And District Mungeli Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station City Kotwali, Mungeli, District Mungeli Chhattisgarh.

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate
For Respondent/State	: Shri Samir Uraon, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

08/04/2021

The applicant has filed this second bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.440/2019 registered at police station City Kotwali, Mungeli, district Mungeli (CG) for the offence punishable under Sections 302 and 449/34 IPC.

The first bail application of the applicant was dismissed as withdrawn with liberty to renew the same at the appropriate stage in M.Cr.C. No. 8338/2019 vide order dated 28.02.2020.

As per prosecution case, report was lodged by the complainant alleging that he was assaulted with knife by some unknown persons as a result of which one Dhigadmalji Jain died on the spot. On the basis of

the said report, the applicant and the co-accused persons were arrested.

Counsel for the applicant submits that the applicant has been arrested on the basis of suspicion. He submits that the applicant is in jail since 10.07.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular looking to the gravity of the offence, I am not inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge