

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 9363 of 2020

1. Leshanram Kashyap S/o Shri Mandas Kashyap Aged About 22 Years
2. Gangaram Kashyap S/o Shri Prem Kashyap Aged About 34 Years

Both R/o Village- Chargaon, Caste Bhatra, Tahsil -Bhanpuri,
District- Bastar-Jagdalpur, Chhattisgarh

---- Applicants

Versus

1. State Of Chhattisgarh Through The Station House Officer,
Police Station Bhanpuri, District-Bastar-Jagdalpur,
Chhattisgarh.

---- Respondent

For Applicant : Shri Dhiraj Kumar Wankhede, Advocate

For Respondent/State Shri Arjit Tiwari, Panel Lawyer

Order On BoardByPrashant Kumar Mishra, Ag. CJ25-6-2021

1. The applicants have preferred this bail application under Section 439 of CrPC, as they are arrested in connection with Crime No.23/2020 registered at Police Station Bhanpuri, District Bastar, Jagdalpur (CG), for the offence punishable under Sections 147, 149, 302 & 109 of the Indian Penal Code and Sections 4 & 5 of the Tonhi Pratadna Adhiniyam.

2. Applicants along with other accused persons have committed broad daylight murder of Mancheet (since deceased) after bringing him to the village square and thereafter assaulting him by hand, kick & fist. The incident happened because the accused persons suspected that the deceased caused death of two persons by practicing sorcery (टोनेही).
3. Learned counsel for the State, *per contra*, would oppose the bail application.
4. Considering the entire facts situation of the case and particularly considering the eyewitness account available in the record, I am of the opinion that present is not a fit case to release the applicant on regular bail.
5. Accordingly, the bail application is rejected.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Gowri