

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9219 of 2020**

- Harichand Das Manikpuri s/o. Late Sukru Das Manikpuri, aged about 63 years, r/o. Bazarpara, village Mardapal, Dist. Kondagaon, CG --Applicant

Vs.

- State of Chhattisgarh through PS Nagarnaar, Dist. Bastar (CG). --Non-applicant

For Applicant	:	Mr. Vikash Shrivastava, Advocate.
For State	:	Mr. D.K. Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****4-2-2021**

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 12-9-2020 in connection with Crime No. 147 of 2020 registered in Police Station Nagarnaar, Bastar, (CG) for the offence punishable under Sections 302, 115/34 of IPC.
2. Case of the prosecution, in brief, is that on 11-9-2020 at 6.45 pm complainant Balram Das who is brother of the deceased saw two persons assaulting his brother Harilal by means of club and thereafter they ran away. He lodged a complaint in concerned Police Station based upon which instant crime has been registered. During the course of investigation, memorandum of co-accused Mehrangu was recorded wherein it was disclosed that the present applicant conspired with other two co-accused persons who were hired by him to kill the deceased.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is not involved in any conspiracy, only on the basis of memorandum statement of the co-accused persons, the applicant is arrested. He would further submit that the Police has not collected any material showing connivance of present applicant with other co-accused persons for committing instant crime. He further submits that the applicant is in jail since 12-9-2020 and conclusion of the trial is likely to take some time, therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, looking to the memorandum statements of accused/applicant Harichand Das Manikpuri and other co-accused namely Mehrangu Korram, conspiracy was admitted by the present applicant and he hired other co-accused persons to commit murder of deceased, looking to his relation with deceased Harilal, nature of offence and the entire evidence available on record, I am not inclined to grant bail to the present applicant.
7. Accordingly, the instant bail application is liable to be and is hereby rejected.

Sd/-

(Gautam Chourdiya)

Judge

Raju