

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9105 of 2020

- Jagat Ram S/o Balam Sai, Aged About 35 Years R/o Village Nanadmali, Police Station Darima, Tahsil Ambikapur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Darima, District Surguja (Chhattisgarh), District : Surguja (Ambikapur), Chhattisgarh

--Non-Applicant

For Applicant	:	Shri Anurag Singh, Advocate
For Non-Applicant/State	:	Shri Hari Om Rai, P.L.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

03/02/2021

1. This is the first 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 on 18.4.2020 in connection with Crime No.38/2020, registered at Police Station-Darima, District Surguja(C.G.) for the offence punishable under Sections 302 r/w 34 of the IPC.
2. Case of the prosecution is that on 16.4.2020 the applicant has committed murder of his wife on the suspicion of illicit relations with some another person and on the memorandum of the accused/applicant, one club and his blood stained clothes were seized. Based on this, an offence has been registered and the applicant was arrested.
3. Learned counsel for the applicant submits that the allegations against the applicant are false and fabricated and he has been

falsely implicated in the case. He submits that there is no incriminating evidence against the applicant. He submits that according to the daughter of the applicant her mother and father were having cordial relations. He submits that charge sheet has been filed and no offence is made out against the applicant under the above mentioned Sections of the IPC, therefore, at this stage, he may be granted bail.

4. On the other hand, learned counsel for the Non-Applicant/State opposes prayer for grant of bail. He submits that the applicant has brutally murdered his wife.
5. Having considered the submission made by learned counsel for the parties and looking to the statement of the daughter of the deceased namely-Rupwanti and the material collected by the prosecution; the nature of injuries caused by the applicant on the private parts of the deceased, due to which she died, seizure of club and blood stained from the applicant, I am not inclined to grant bail to the applicant.
6. Accordingly, the bail application is dismissed.

Sd/
(Gautam Chourdiya)
Judge

sunita