

(2021) 01 MP CK 0131

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No.22214 Of 2020

Adhiman Mudaha

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 29-01-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 120B, 201, 302

Citation : (2021) 01 MP CK 0131

Hon'ble Judges : Mohd. Fahim Anwar, J

Bench : Single Bench

Advocate : Parvez Ahmad Quazi, Pankaj Raj

Final Decision : Dismissed

Judgement

Mohd. Fahim Anwar, J

This is first application filed under Section 439 of Cr.P.C for grant of bail to the applicant, as he has been arrested in connection with Crime

No.565/2019, registered at Police Station Chorhata District Rewa for commission of offence punishable under Sections 302, 201 & 120-B of IPC.

Allegation of the prosecution is that complainant Dharendra Kumar Shukla informed the police on 1.11.2019 that his brother Sanjay Shukla @ Tantu is

missing since 30.10.2019. On that basis police has lodged a missing person report No.80/19. During the course of merg inquiry dead body of the

deceased Sanjay Shukla was recovered in badly injured condition and postmortem has been conducted. The statements of complainant, applicant, co-

accused persons and other witnesses were recorded, on which it has come on record that the applicant and other co-accused persons have old rivalry

with the deceased Sanjay Shukla @ Tantu and they have committed murder of

the deceased. During the course of investigation the applicant and other co-accused persons were arrested and on interrogation they have admitted the commission of crime and at the instance of the applicant weapon which was used to commit murder of deceased Sanjay Shukla @ Tantu was seized. On that basis above mentioned crime has been registered against the applicant and other co-accused persons.

Learned counsel for the respondent/ State opposes the bail application.

Considering the facts and circumstances of the case, I am of the considered view that at this stage it is not a fit case to enlarge the applicant on bail.

Hence, without expressing any opinion on merits of the matter, this first application filed under Section 439 of Cr.P.C for grant of bail to the applicant is hereby dismissed.

This M.Cr.C. stands dismissed.

C.C., as per rules.