

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6813 of 2015

1. Mohammed Imran, S/o. Mohd. Fazle, aged about 27 years, R/o. Panchpti, Police Station – Sardana, District – Bagpat (Hariyana)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station, Berla, District – Bemetara (C.G.)

---- Respondent

For Applicant	: Mr. Suresh Kumar Verma, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

10/12/2015

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 in connection with Crime No.204/2013, registered at Police Station – Berla, District – Bemetara (C.G.) for the offence punishable under Section 302, 201/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the deceased Ratan Yadav while went to the sugar can field of the accused a dispute arose for eating of the sugar cane. Subsequently, Manoj @ Pintu has caused blow on Ratan yadav, thereby he died and after his death, his dead body was kept in his godown. Subsequently, this applicant alongwith other made disappearance of evidence by throwing the dead body.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that the main allegation is against the accused, Manoj @ Pintu and this

applicant has not committed murder of deceased Ratan Yadav. He would further submit that charge sheet in this case has been and the applicant is in jail since 06.08.2013, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the allegation made against this applicant that he was making disappearance of the evidence. Taking into such fact and the fact that the applicant is in jail since 06.08.2013, without any observation on merits, for the purpose of bail, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge