

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7576 of 2015

Naresh Kumar S/o Late Shri Balam Singh Aged About 35 Years
Occupation Government Service (Forester At Kudmura, Forest Area
Korba) R/o Village Kokdar, P.S. Chhal, Tahsil Dharamjaigarh, Civil &
Rev. Distt. Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through S.H.O. Of The P.S. Chhal, Distt.
Raigarh, Chhattisgarh.

---- Respondent

For applicant - Shri Abhishek Saraf, Advocate.
For Respondent/State – Shri Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 102/2015 registered in Police Station Chhal, District-Raigarh (C.G.) for offence punishable under section 302, 201/34 of IPC.
2. As per the prosecution case on 5/10/2015 one Suresh Kumar was assaulted by Dhanesh Kumar by way of axe on his neck. Subsequently, co-accused Dhanesh Kumar who committed murder of Suresh Kumar with the help of this applicant has caused disappearance of the evidence by burning the motorcycle and dead body, thereby offence is committed.
3. Learned counsel for the applicant submits that only allegation against this applicant is that he made disappearance of the evidence and on the memorandum statement of the present applicant recovery was made which too pertains to disappearance of the evidence, therefore, the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the case diary and the evidence. Considering the fact that primary allegation against this applicant is of making disappearance of the evidence and entire allegation of causing murder is on Dhaneshwar other co-accused as per memorandum statement, therefore this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE