

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4955 of 2016

Maniram, S/o Baishakhu Yadav, Aged About 27 Years, R/o Village Bakarkuda, Chowki Malhar, P.S. Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Chowki Karhibazar & P.S. S.H.O. City Kotwali, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For applicant - Shri Hemant Gupta, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/09/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.105/2016 registered in Police Station City Kotwali, Baloda-Bazar, Revenue and Civil District Baloda-Bazar-Bhatapara (C.G.) for offence punishable under sections 302, 201, 120-B/34 of IPC.
2. As per the prosecution case, on 16/03/2016 one Tribhuvan was murdered by Baisakhu, Durpati Bai and the present applicant for which a missing report was lodged on 17/03/2016 and on 19/03/2016 FIR was lodged. Subsequently, during investigation it was found that deceased Tribhuvan had illicit relation with Durpati Bai and therefore the applicant alongwith mother Durpati Bai and father Baisakhu had conspired to kill Tribhuvan and he was called to a certain spot wherein he was murdered.
3. Learned counsel for the applicant submits that only evidence against the applicant is memorandum of Baisakhu and according to said statement also applicant has not committed any offence of murder and it has been attributed to Baisakhu and maximum applicant can be inculpated for offence under Section 201 of IPC, therefore the applicant

may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the memorandum statement, recovery as also statement of Dukalu. Considering the statement wherein main allegation of murder has been attributed to Baisakhu and Durpati Bai also taking into nature of allegation against the applicant and the recovery made, 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.

Sd/-

(Goutam Bhaduri)

JUDGE