

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5414 of 2016

Shiv Kumar Rajak, S/o Late Jhadu Rajak, Aged About 50 Years,
R/o Village Bhagat Tendua, Post Kurhadsarya, District Palamu
(Jharkhand) At Present R/o Parasgadi, Thana Manendragarh,
District Koriya, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Thana Manendragarh, District
Koriya, Chhattisgarh.

---- Respondent

For applicant - Shri Parag Kotecha, Advocate.

For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

15/09/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.117/2016 registered in Police Station Manendragarh for offence punishable under sections 302, 201, 34 of Indian Penal Code and Section 3(2)(5) Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.
2. As per the prosecution case, one Ramu Panika committed murder of his wife Basanti and with the help of the present applicant dead body was thrown at other place to make disappearance of the evidence. Incident happened in the year 2014. FIR was made in 2016 and on the basis of memorandum of other co-accused applicant has been arrested.
3. Learned counsel for the applicant submits that no evidence is available against the applicant and the incident is of year 2014 and only on the presumption the applicant has been arrested on 8/04/2016. He submits that allegation of disappearance of evidence is alleged against the applicant, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail,

however do not dispute the fact that allegation against the applicant is for disappearance of the evidence.

5. Perused the memorandum statement of Ramu and considered the other evidence. Main allegation have been attributed to other co-accused and against this applicant it is alleged that he tried to make disappearance of the evidence. Considering the facts and circumstances of the case, 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