

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8161 of 2016

1. Ishwar Jagat S/o Firat Ram Jagat, Aged About 39 Years R/o Village Saraipali, Chowki Giroudpuri, Police Station Gidhour, District Baloda Bazar Bhatapara, Chhattisgarh.
2. Santu @ Santram Sidar S/o Ghurau Sidar Aged About 26 Years R/o Village Saraipali, Chowki Giroudpuri, Police Station Gidhour, District Baloda Bazar Bhatapara, Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh through Station House Office, Police Station Gidhour, District Baloda Bazar Bhatapara, Chhattisgarh. --- **Respondent**

For the applicants : Mr. Raghavendra Pradhan, Advocate
For the Respondent : Mr. Anil S. Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.12.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 120/2016 registered at P.S. Gidhour, Distt. Balodabazar-Bhatapara (C.G) for the offence punishable under Sections 302 & 201/34 of IPC.
2. As per the prosecution case, on 23.07.2016 the other accused Jai Singh laid the live electric wire in the forest to kill the animals and the deceased Malik Ram came in contact with the live electric wire and died of electrocution. Thereafter Jai Singh and the present applicants Ishwar Jagat and Santu @ Santram Sidar in order to cause disappearance of evidence, threw away the body of the deceased into a canal after tying the body with heavy boulders.

3. Learned counsel for the applicants would submit that only the allegation against the present applicants is under section 201 IPC and no allegation of murder is attributed to the them. He further submits that the charge sheet in this case has been filed and the applicants are in jail since 31.07.2016, therefore, they may be enlarged on bail.
 4. Per contra, learned State Counsel opposes the bail.
 5. Perused the documents and the statement of Jai Singh. It appears that only the allegation of causing disappearance of evidence is levelled against the present applicants.
 6. Taking into such allegations levelled against the applicants and the fact that the charge sheet has been filed and the applicants are in jail since 31.07.2016, I am inclined to allow this bail application.
 7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.
- C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**