

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 954 of 2017

Mohd. Altaf Ansari, S/o. Abdul Samid @ Shamin Ansari, Aged About 52 Years, R/o. Near Bada Bazar Talab, Chirmiri, Thana Chirmiri, District Koriya, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Chirmiri, District Koriya, Chhattisgarh.

---- Respondent

For Applicant : Mr. Parag Kotecha, Advocate

For Respondent : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/02/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.391/2016 registered at Police Station- Chirmiri, District Koriya (C.G.) for the offence punishable under Section 302, 201/34 of the Indian Penal Code.
2. As per the prosecution case, it is alleged that one Rajendra in the intervening night of 12/13.11.2016 committed murder of his wife Shanti Bai and thereafter in order to make disappearance of the evidence took the help of the present applicant and in the vehicle of the present applicant, the dead body was taken to the graveyard.
3. Learned counsel for the applicant would submit that the entire allegation of murder is on Rajendra and only allegation against

this applicant is that he helped in making disappearance of the evidence, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that only allegation of making disappearance of the evidence is on the present applicant.
5. Perused the case diary and the documents. Considering the fact that only disappearance of the evidence is attributed to the present applicant as he used his vehicle bearing No.C.G.16 CA 1952 to took the dead body away and further taking into the degree of allegation against the applicant, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge