

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6642 of 2017**

- Gyandas Koram S/o Mandhar Koram Aged About 39 Years R/o Kondkera, Police Station- Vishrampuri, District Kondagaon Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through The Police Station Vishampuri, Civil And Revenue District Kondagaon Chhattisgarh

---- Respondent

For Applicant	:	Shri Shobhit Koshta, Advocate
For Respondent-State	:	Shri Ashish Shukla, GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****07/12/2017**

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 on 25.07.2017 in connection with Crime No. 56/17 registered at Police Station Vishrampuri, District- Kondagaon (CG) for the offence punishable under Sections 302, 115 and 120 B of the I.P.C.
2. As per the prosecution case, on 09.07.2017 dead body of a person was found near a culvert in Tengapara and Marangpuri and it was revealed that the dead body was of Naval Singh Mandavi. Thereafter, after investigation it was found that the four persons namely Pawan Koram, Balbir Meshram, Rahul Meshram & Santosh Vishwakarma apprehended that the deceased had given an amount of Rs.50,000/- to the present applicant to get the job of peon, however, when the applicant could not provide job, the deceased

asked for the amount, then the present applicant along with the other gave a contract to culminate Naval Singh Mandavi and he was culminated.

3. Learned counsel for the applicant submits that there is no evidence against the applicant and there is no eye witness in this case only on the basis of the memorandum statement of the other co-accused and seizure of the stone and club, the present applicant has been inculpated. He would further submit that the statement of one Dhaniram would show that the transaction was only in between Pawan and others, therefore, no offence is made out against the present applicant and he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the documents. It appears that there is no eye witness in this case and only on the basis of the memorandum statement of other co-accused, the present applicant has been inculpated. Considering the same and taking into the nature of the allegations, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri

Judge

Ashu