

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3167 of 2018

Dhansay Yadav S/o Narsingh Yadav Aged About 32 Years Caste Rawat, R/o Lalaguda, Rawat Para, Police Station Burgum, District Bastar, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Burgum, District Bastar, Chhattisgarh.

---- Respondent

For applicant - Shri Punit Ruparel, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

29/06/2018

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.09/2017 registered in Police Station Burgum, Dist. Bastar (C.G.) for offence punishable under sections 302, 201, 34 of IPC.
2. As per the prosecution case, one Gayatri Yadav died by hanging and she was engaged to another co-accused Mahendra and Dhansay is also brother of Mahendra. It is alleged that both Mahendra and Dhansay has killed Gayatri by showing it to be hanging.
3. Learned counsel for the applicant submits that as per the memorandum of Mahendra only allegation can be attributed to this applicant that he tried to destroy the evidence, therefore case would fall under section 201 IPC only against this applicant and he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of Sundruram and the memorandum statement of the accused Mahendra as also statement of Anat Lenjam. He

has deposed that Gayatri deceased was last seen in the company of the other co-accused and except hanging no other injury was found. Perused the memorandum statement of Dhansay Yadav also. Taking into same, it appears that circumstances point out that the applicant tried to destroy the evidence and one rope was also recovered at the instance of Mahendra. Taking into totality and nature of evidence against the applicant, 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