

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4434 of 2018

1. Mansingh Kashyap, aged about 60 years S/o Mr. Dukhram, R/o Mungapadar, Dongripada, P.S. Kondagaon, Distt. Kondagaon, (C.G.).
 2. Budru Budhru Ram, aged about 26 years, S/o Mehtar Ram Kashyap,
 3. Lekh Ram Kashyap, aged about 30 years, S/o Mehtar Ram Kashyap
- Both Applicant No. 2 & 3 are R/o Balasar, P.S. Kondagaon, Distt. Kondagaon (C.G.)

--- Applicants

Versus

State of Chhattisgarh, Through the Police Station, Kondagaon, Distt. Kondagaon (C.G.).

---- Respondent

For Applicants	:	Mr. Ankur Agrawal, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

05/09/2018

1. The applicants have preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 195/2017 registered at Police Station- Kondagaon, Distt. Kondagaon (C.G.) for the offence punishable under Sections 302 and 109/34 of the IPC.
2. As per prosecution story, on 02/09/2017 in the morning Fodhu Ram (deceased) had gone to village- Mardapal Bazar. Thereafter, his dead body was found between villages Balasar and Khachgaon. The matter was reported to the police. On being investigation, it was found that the present applicants and other co-accused had committed murder of the deceased.
3. Learned counsel appearing on behalf of the applicants submits that there is nothing on record on the basis of which the applicants could

be connected with the crime in question. He further submits that though on the basis of memorandum statement of the present applicants one-one Dandas was seized from each of them, no blood stains was found on the said Danda. Apart from this, no other evidence is available against any of the applicants. He further submits that co-accused, Manchit Kashyap has been released on bail vide order dated 12/04/2018 in MCRC No. 1176/2018. Another co-accused, Ramesh Kashyap has also been released on bail vide order dated 18/04/2018 in MCRC No. 1322/2018. Therefore, the present applicant may also be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application and submits that only this much evidence, as stated above by learned counsel for the applicants, is available on record.
5. I have heard learned counsel for both the parties.
6. Having considered the facts and circumstances of the case and the arguments advanced and further considering that other co-accused persons have been released on bail, without further commenting on the merit of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 20,000/- with one surety each in the like sum to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge