

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5013 of 2019

- Naveen Pradhan S/o Resham Lal Pradhan Aged About 46 Years R/o Village- Jagat, Police Station- Basna, District- Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Basna, District- Mahasamund, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Raghvendra Pradhan, Advocate.

For Non-applicant/State : Mr. Devendra Pratap Singh, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

02-09-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 26.02.2019 in connection with Crime No.91/2019, registered at Police Station– Basna, District- Mahasamund, Chhattisgarh for offence punishable under Sections 302, 203 r/w 34 of Indian Penal Code.
2. It is submitted by learned counsel for the applicant that the applicant is in jail since 26.02.2019. There is no direct allegation against this applicant regarding causing death of the deceased Devanti Pradhan. The only allegation that is made out against this applicant is about giving false information to the police for which the offence under Section 203 of I.P.C. is made out, which is a bailable offence. Hence, it is prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application

and submits that according to the memorandum statement given by co-accused Narendra Pradhan, the case is made out against the applicant regarding furtherance of common intention to cause death of the deceased, therefore, the application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on the date of incident, co-accused Narendra Pradhan and the deceased had some quarrel, due to which the co-accused strangled the deceased to death and thereafter he informed about the incident to this applicant who intentionally gave false information to the police that the deceased died because of fall from the roof. Hence, this case.
6. Considering the nature of the allegation that is against the present accused, which is only to this extent that he has misled the police by giving the false information, therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge