

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5760 of 2020**

- Basantlal Paikra S/o Late Pandey Ram Aged About 63 Years R/o Village Kot Kadamtikra, Police Station Sitapur, District Surguja, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Sitapur, District Surguja, Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Nishi Kant Sinha, Advocate.
For Non-Applicant : Shri Gagan Tiwari, Deputy GA.

Proceeding Through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****14/10/2020 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.143/2019 registered in Police Station Sitapur, District Surguja for offence under Section 302/34 of the IPC.
2. Present applicant Basantlal Paikra along with 3 other accused persons namely, Omkar Paikra, Baadar Ram & Devdutt Singh have allegedly committed murder of deceased Laruram at about 1 pm on 5.12.2019. FIR was registered against unknown assailants. In case diary statements of Sumitra and Jhaduram recorded on 19.1.2020, it is stated that when the deceased was assaulted by the accused persons, they heard the voice

of the assailant and could identify the assailants.

3. Admittedly, there is no eyewitness to the crime. Statements of Sumitra and Jhaduram were recorded by the police after about one and half months of the incident. Co-accused Omkar Paikra has been granted bail by the coordinate Bench of this Court in MCrC No.5293/2020.
4. Although learned State counsel would oppose the bail application, but having considered all the relevant aspects of the matter including the order passed in M.Cr.C. No.5293/2020 allowing bail to the co-accused, this Court is inclined to release the applicant on bail.
5. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount 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/-
Judge
(Prashant Kumar Mishra)