

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5918 of 2020

- Inder Pal Khurana S/o Dewar Khurana Aged About 35 Years R/o Indira Nagar Ward No. 1 Patan, P.S.- Patan, Tehsil Patan, District- Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- District Magistrate, District- Durg, Chhattisgarh

---- Non-Applicant

For Applicant : Shri Pawan Kesharwani, Advocate.
For Non-Applicant : Shri Gagan Tiwari, Deputy GA.

Proceeding Through Video Conferencing

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

04/11/2020 :

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.205/2019 registered in Police Station Patan, District Durg for offence under Section 302 and 201 of the IPC.
2. The applicant has allegedly committed murder of his brother Gorange Khurana in the afternoon of 27.10.2019,
3. As per the material available in the case diary, the incident took place in the same house where the family of the applicant and that of the deceased live together in different rooms. There are other family members who reside in the premises. Initially it was suspected that the

deceased committed suicide, however, when the postmortem report revealed that he died homicidal death on account of asphyxia due to strangulation, a case under Section 302 IPC was registered and supplementary diary statements of witnesses Sujit and Subhash were recorded wherein they informed the police that the applicant has confessed in their presence of committing murder.

4. Admittedly, in the first diary statement of these two witnesses recorded on 20.11.2019 they have not made any incriminating statement against the applicant. FIR recorded on 19.11.2019 was also against unknown person.
5. Considering the quality of evidence and for the fact that the applicant is in jail since 23.2.2020 and charge sheet has already been filed, 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 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)