

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through video conferencing****MCRC No. 4104 of 2021**

- Gopal Bansal S/o Pradeep Bansal Aged About 19 Years R/o Village Muktaraja, P. S. Baradwar District Janjgir Champa Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through P. S. Baradwar District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant	-	Shri F.S. Khare, Advocate.
For Respondent/State	-	Shri Chandresh Shrivastava, Dy. Advocate General.

Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice
Order on Board**29-07-2021**

1. Heard.
2. The applicant has preferred the first bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with Crime No.206/2020, registered at Police Station – Baradwar, District- Janjgir- Champa (C.G.) for the offence punishable under Sections 302, 201, 120-B of the Indian Penal Code.
3. The applicant in conspiracy with co-accused Dinesh Bansal, Vijay Kumar Ratre and Saraswati Suryavanshi have committed murder of deceased Dilip Khandey and Kirit Lal Khandey. In the memorandum statement of Vijay Kumar Ratre, he has revealed to the Police that all the four accused hatched conspiracy pursuant to which this applicant

carried a sword and reached to the place of incident, whereafter Dinesh assaulted Dilip Khandey by means of sword and he (Vijay kumar Ratre) assaulted deceased Kirit Lal Khandey with iron rod.

4. There being no eye witness, case of the prosecution is based on circumstantial evidence.
5. Learned State counsel would oppose the prayer for grant of bail.
6. Memorandum statement of co-accused narrating the sequence of events would not allege that this applicant participated in the actual assault. Similar is the allegation against co-accused Saraswati Suryavanshi, who has been released on regular bail in MCRC No.612/2021.
7. Considering the release of similar co-accused person on regular bail, I am inclined to release the present applicant on bail.
8. Accordingly, the bail 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/-

(Prashant Kumar Mishra)
Acting Chief Judge

Amardeep