

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8026 of 2021**

1. Laxman Yadav, son of Mahettar, aged about 30 years, R/o Village Bhatmahul, Police Station Hasaud, District Janjgir Champa (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Hasaud, District Janjgir Champa (CG)

---- Non-Applicant

For Applicant	: Shri Ishwar Jaiswal, Advocate.
For Non-Applicant	: Smt. Seema Dixit, Panel Lawyer.

Hon'ble Shri Deepak Kumar Tiwari, J**Order On Board****28/10/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.61/2021 registered in Police Station Hasaud, District Janjgir Champa for offence under Section 304 & 201 of the IPC.
2. Case of the prosecution, in brief, is that on 2.4.2021 the present applicant surrounded his house by GI wire for safety purpose and flown electric current in the said wire, wherein his friend deceased Rakesh Kumar, who frequently used to come to his house, came in contact with the GI wire and died of electrocution. Thereafter, the present applicant took the dead body of the deceased near the pond to conceal the offence.

3. Learned counsel for the applicant submits that the applicant is an innocent person and having no intention to cause death of the deceased nor having knowledge that it may cause death of the deceased. The applicant is in jail since 12.6.2021. Therefore, the applicant may be released on bail.
4. On the other hand, learned State Counsel opposes the bail application.
5. From the prosecution story, it is reflected that the applicant himself, without any intention to cause death of anyone and for protection of his house, erected the GI wire in which electric current was flowing, as in his house there is no door and by way of this protection the animals could not get entry in his house. Learned counsel for the applicant has rightly emphasized that the matter may be said to be of rash and negligence, but there was no intention to kill anyone.
6. Considering the nature of evidence, this Court finds fit to grant bail to the applicant.
7. 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.10,000/- 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/-
(Deepak Kumar Tiwari)
Judge