

**Miscellaneous Criminal Case No.9076/2011****22.12.2011**

Shri Yogesh Gupta, Advocate for the applicants.

Shri Mukesh Parwal, Panel Lawyer for the NA/State.

Heard. Case diary perused.

This is first application for grant of bail by applicant Pintu @ Jagjeet, who is in custody since 14.7.2011, in connection with Crime No. 438/2011, registered at Police Station Lasudiya, Indore for an offence punishable under Section 302/34 of IPC.

According to the prosecution story, deceased Pappu was employee of applicant Pintu Sardar as Cable operator. On 8.7.2011, the applicant came to the house of complainant Raju and asked Pappu to go on duty for which he denied because of rains then the applicant forcibly took him to his room. After sometime he came out with Pappu, who was unconscious. He was rushed to Bombay Hospital, where he was declared dead.

Learned counsel for the applicant drew my attention to the FIR lodged by Raju Rathor (brother of the deceased) and his Marg statement and submitted that there is no material evidence to implicate the present applicant regarding committing murder of deceased Pappu Rathor. He further submitted that co-accused Bablu @ Omprakash has been released on bail vide order dated 14.11.2011 passed in M.Cr.C. No.8442/2011 and prayed that this application for grant of bail be allowed and the present applicant be also released on bail.

On the other hand, learned Panel Lawyer opposed the bail application and prayed for its rejection.

As per police statement of Pappu Rathor and Kishore Rathor (father of the deceased) there is specific allegation against the present applicant regarding his involvement in the alleged offence because it is he who forcibly took the deceased (Pappu) to his room and, thereafter, he came out with Pappu,

who was unconscious. As per postmortem report the death was cause due to electric shock.

In view of the above, no case for grant of bail, as prayed by the applicant, is made out. Accordingly, the application stands rejected.

**(P.K. Jaiswal, J.)**

rCS\*