

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No.641 of 2015**

1. Imran Ali S/o Didar Ali Aged About 38 years R/o Village Chhura, Police Station Chhura, Tahsil Chhura, Civil And Revenue District Gariyaband, Chhattisgarh
2. Hamid Ali S/o Ismile Ali Aged About 55 Years R/o Village Rajim Goverdhan Para, Police Station Rajim, Tahsil Gariyaband, Civil And Revenue District- Gariyaband, Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh Through: Station House Officer, Police Of Police Station- Rajim, District- Gariyaband, Chhattisgarh

---- Respondent

For Petitioners : Shri Awadh Tripathi, Advocate
 For Respondent/State: Shri Vinod Tekam, Panel Lawyer

Order On Board**30/07/2015**

The applicants have preferred this application under Section 438 of Cr.P.C., apprehending their arrest in connection with Crime No.114/2015, registered at Police Station–Rajim, District Gariyaband for alleged commission of offence under Sections 436, 511, 506/34 of IPC.

2. Case of the prosecution is that the applicants set the house of the complainant on fire and thereby committed the offence.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated. It is submitted that there exist a dispute between the parties and the applicants were taking proceedings against the complainant, therefore, in order to falsely implicate, the applicants have been named and the complainant claims to have identified the applicants through their voice only.

4. On the other hand, learned State counsel submits that the background of

animosity between the parties and the clear statement of the complainant that the applicants came to his house and set the house on fire, which prima facie makes out a commission of offence against the applicants.

5. Taking into consideration the nature and gravity of allegation, particularly taking into consideration the allegation of setting the house on fire, I am not inclined to grant bail to the applicants.

6. Accordingly, the application is rejected.

**Sd/-
Manindra Mohan Shrivastava
Judge**