

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3554 of 2016

Ghanshyam Das Andani, S/o. Jhariya Mal Andani, Aged About 52 Years,
R/o. Sindhi Colony, Durg, Tahsil & District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station
Mohan Nagar, District Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. Awadh Tripathi, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.214/2016 registered at Police Station- Mohan Nagar, Distt. Durg (C.G.) for the offence punishable under Section 294, 306/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that one Sangeeta Batra set herself ablaze on 21.03.2016 and Bhajan & Vipin who are tenant used to abuse and before the date of incident the applicant alongwith Bhajan & Vipin went to the house of the deceased and assaulted her husband and took away some necklace. Subsequently, Sangeeta Batra set herself ablaze and her statement was recorded on 29.03.2016 and on investigation, it was found that offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has not abetted commission of crime and the applicant has been

falsely implicated and no allegations have been attributed to this applicant, therefore, under the facts and circumstances of the case, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of Sangeeta Batra which was recorded on 29.03.2016 wherein primary allegations have been attributed to Bhajan & Vipin. Considering the omnibus statement made against this applicant, without any observation on merit, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge