

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5840 of 2016

- Naresh Bharati S/o Ghan Shyam Bharati Aged About 35 Years
R/o Village Patharra, P.S. Bhilai-3, District Durg Chhattisgarh.
--- Applicant

Versus

- State of Chhattisgarh through the Police Station Bhilai-3,
District Durg Chhattisgarh. --- Respondent

For the applicant	:	Mr. Jitendra Gupta, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.09.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 167/2016 registered at P.S. Bhilai, Distt. Durg (C.G) for the offence punishable under Sections 436 & 450 of IPC.
2. As per the prosecution case, on 31.03.2016 the brother of the applicant Ganesh Bharti was murdered. When his dead body was brought to the village at that time the applicant became enraged and in order to take revenge, he set ablaze the house of one Komal Satnami from back side which was seen by Bishalram Dahriya.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he has not committed any offence. He further submits that It is not proper to allege in such a way that the applicant would set on fire in somebody's house instead of participating in cremation of deceased brother, therefore, the applicant may

be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail and would submit that as many as 25 cases under different provisions of IPC/Cr.P.C., out of which 10 cases of prohibitory activities u/s 116(3) Cr.P.C., stand registered against the applicant.
5. Considering the past antecedents of the applicant as according to prosecution case, as many as 25 cases are pending against the applicant, I am not inclined to allow the bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

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