

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4985 of 2016

Anjali Nahak / Nayak, D/o. Vipro Nahak/ Nayak, Aged About 22 Years,
R/o. Azad Nagar, Godripara, Chirmiri, Tahsil Khadgawan, Post Office &
Police Station Chirmiri, District Koriya, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station
Chirmiri, District Koriya, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

31.08.2016

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.64/2016 registered at Police Station Chirmiri, Distt. Koriya (C.G.) for the offence punishable under Section 302/34 of Indian Penal Code.
2. As per the prosecution case, one Dheeraj Vishwakarma was set into ablaze on 24.11.2015 and it is alleged that the applicant alongwith her mother & father set into fire the deceased Dheeraj Vishwakarma as the deceased wanted to marry the present applicant Anjali and the incident happened at 2:30 in the night.
3. Learned counsel for the applicant would submit that no allegations have been attributed to this applicant and only it is stated by the mother of the deceased Madhumita Vishwakarma that the applicant had also conspired to kill Dheeraj the deceased. It is further stated that before the incident in the year 2014, the applicant was thrown from the three storied building by the deceased for which the FIR was registered against the deceased and therefore false allegations

have been attributed as the deceased himself has committed suicide; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of the witness mother and also the eye-witness of the incident Abdul Sahid. Abdul Sahid has stated that the deceased himself poured kerosene on his body and set himself on fire. Considering such statement, 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 her 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 her appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge