

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5641 of 2016

1. Natthuram Sao, S/o. Chhinu Sao, aged about 66 years, Occupation – Farmer, R/o. Village- Rengalpali, P.S. & Tahsil – Pussor, District – Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Pusour, District Raigarh (C.G.)

---- Respondent

For Applicant	: Mr. Vinit Kumar Pandey, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/09/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.36/2015, registered at Police Station – Pussor, District – Raigarh (C.G.) for the offence punishable under Section 498(A) & 304 (B)/34 of Indian Penal Code.
2. As per prosecution case, the deceased Sunita Sahu was married prior to four years of the incident and the applicant, who is father-in-law on 11.03.2015 poured the kerosene oil on the deceased and set her ablaze. Thereby she died.
3. Learned counsel for the applicant submits that, the applicant has been falsely implicated in this case and no evidence is available

against the present applicant. It is further submitted that no report was made until four years about any demand of dowry, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the dying declaration of the deceased, wherein the allegations have been attributed to this applicant that applicant poured kerosene oil and set the deceased into ablaze. Considering such statement, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge