

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6751 of 2016

- Laljee Verma S/o Dayaram Verma Aged About 45 Years R/o Village Bhaisa (Bhatapara), Bhejridiha Road, Thana Kharora, District Raipur, Chhattisgarh, Mobile No. 9977561550.

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station Kharora, District Raipur, Chhattisgarh.

---- Respondent

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MCRC No. 6869 of 2016

- Puneetram Verma S/o Shobharam Verma, Aged About 40 Years R/o Village Bhaisa (Bhatapara), Bhejridiha Road, Thana Kharora, District Raipur, Chhattisgarh Mobile No. 9977561550

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station Kharora, District Raipur Chhattisgarh

---- Respondent

For Applicants : Mr. Alok Kumar Dewangan, Advocate

For Respondent/State : Mr. Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03-11-2016

1. Since both the cases arise out of same Crime No. 227 of 2016 which are in similar nature, they are heard analogously and are being disposed of by a common order.
2. These are first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 2-7-2016 in connection with

Crime No. 227 of 2016 registered at Police Station Kharora, District Raipur (CG) for the offence punishable under Section 307/34 of the IPC.

3. Case of the prosecution, in brief, is that on 28-6-2016 victim Chandra Kumar @ Banu Yadav got severe burn injuries to the extent of 70%. It is alleged that the present applicants poured petrol on victim and thereafter set him to fire on the ground of previous enmity and thereby the aforesaid offence was committed.
4. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case and injured Chandra Kumar @ Banu Yadav was having previous criminal antecedents and on the date of incident the victim himself was in a drunken condition and false allegations have been attributed to the present applicant. He would further submit that charge-sheet has been filed in this case, the applicants are in jail since 2-7-2016 and no further investigation is required, therefore, they may be released on bail.
5. On the other hand, learned State counsel opposes the prayer for grant of bail.
6. I have heard learned counsel for the parties, perused the case diary and other documents.
7. Perused the statement and dying declaration of the victim Chandra Kumar @ Banu Yadav wherein direct allegations have been attributed to the present applicants.
8. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, the manner in which the offence was committed and and further considering the statement and

dying declaration of the victim, this court not is inclined to release the applicants on bail.

9. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are liable to be and are hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju