

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7072 of 2016

Teju Ram Bhagat, S/o. Late Chamar Ram, Aged About 30 Years, Caste-
Uraon, R/o. Village Manora, District Jashpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Out Post- Manora,
Police Station Jashpur, District Jashpur, Chhattisgarh.

---- Respondent

For Applicant : Ms. Pritha Ghoshal, Advocate.

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.12.2016

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.192/2016 registered at Out Post- Manora, Police Station- Jashpur, District Jashpur (C.G.) for the offence punishable under Section 304, 325, 326-A of Indian Penal Code.
2. As per the prosecution case, a report was made by mother of the deceased Rajni on 30.07.2016 alleging that on 19.06.2016 the present applicant who is husband of the deceased on a dispute with the wife poured kerosene oil on her and set into fire, thereby, she died on 25.07.2016.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and from the date of incident on 19.06.2016 till 27.07.2016, no report is made against the present applicant and only after the death, it is alleged that the present

applicant has poured kerosene oil and she died out of septicemia, therefore, the cause of death cannot be attributed to this applicant and, as such, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and statement of the mother of the deceased wherein allegations have been attributed against the present applicant that he poured kerosene oil on the deceased and set her into fire. Taking into the statement of mother of the deceased and one Ravi Kumar Yadav, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Ashok

Sd/-
(Goutam Bhaduri)
Judge