

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7915 of 2016

1. Laljee Verma S/o Dayaram Verma Aged About 45 Years R/o Bhaisa (Bhatapara), Bhejridiha Road, Thana- Kharora, District Raipur, Chhattisgarh.
2. Puneetram Verma S/o Shobharam Verma Aged About 40 Years R/o Village Bhaisa (Bhatapara), Bhejridiha Road, Thana- Kharora, District- Raipur, Chhattisgarh. **--- Applicants**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Kharora, District Raipur, Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. L.C. Dash, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.12.2016

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 227/2016 registered at Kharora, Distt. Raipur (C.G) for the offence punishable under Section 307/34 IPC.
2. As per the prosecution case, on 28.06.2016 victim Chandra Kumar @ Banu Yadav sustained severe burn injuries to the extent of 70%. It is alleged that in wreaking vengeance, the present applicants and other accused poured petrol on victim and thereafter set him on fire thereby the offence has been committed.
3. Learned counsel for the applicants submits that this is second bail application; the first bail application was dismissed on merits on 03.11.2016 and now the victim Chandra Kumar and his father mother have been examined

and they have not attributed any allegations against the present applicants and all they have turned hostile, therefore, the applicants may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that the victim as well as the mother and father have not supported the case of prosecution.
5. Perused the statements of victim Chandra Kumar as also the statements father and mother of victim namely Gopal Yadav and Radha Bai. It appears that the victim and his father and mother have not supported the case of prosecution.
6. Considering such statement of complainant Chandra Kumar as also the statements of his mother and father wherein they have denied the case of prosecution, without any further observation on merits of the case, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**