

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8580 of 2016

Suresh Kumar Sahu, S/o. Manbodh Sahu, Aged About 27 Years, Caste-Teli, R/o. Village- Chhatadei, Tahsil- Sarangarh, District Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station-Sarangarh, District- Raigarh, Chhattisgarh .

---- Respondent

For Applicant : Ms. Pritha Ghoshal, Advocate

For Respondent : Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.01.2017

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.316/2015 registered at Police Station- Sarangarh, District Raigarh (C.G.) for the offence punishable under Section 302 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by the deceased Nan Bai, wife of the applicant, on 17.07.2016 that due to some dispute, the applicant poured Kerosene on her body and set her into fire. Subsequently, she was admitted in the Hospital and died on 31.07.2016.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the father and brother of the deceased have been examined and they have turned hostile as they have not supported the case of the prosecution. She further submits that there is no eye-witness and the applicant himself also

sustained burn injury to eliminate the fire, as such, false allegations have been leveled; 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 Dehatinalicy, which is by the deceased herself wherein direct allegations have been attributed against the present applicant. Considering such Dehatinalicy and statement of the deceased which is on record, 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.

Sd/-
(Goutam Bhaduri)
Judge