

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4166 of 2017

- Jhamman @ Jhaman S/o Lakhan Lal Satnami, Aged About 39 Years (As per charge sheet correct name is Jham Lal), R/o Village Sagaunadih, Police Station Pandariya, District Kabirdham, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through it's Police Station Pandariya, District Kabirdham, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Ravi Maheshwari, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

20-09-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.45/2017 on 08-03-2017 by P.S. Pandariya, District Kabirdham, Chhattisgarh for the offence under Section 436 of the IPC. After investigation police had filed the charge sheet, which is presently pending before the Sessions Judge Kawardha, District Kabirdham, C.G. as Sessions Trial No.51/17. Learned counsel for the applicant would further submit that the applicant demanded Rs.1000/- from his father and when his father denied for the same he set ablaze the entire house and caused damage of worth Rs.15,000/- only. Hence, the applicant may be enlarged on bail.
3. Per contra, learned counsel for the non-applicant/State would submit that as per the material collected in the charge sheet, it appears that by setting fire in his own house the applicant caused damage of worth Rs. 2.5 - 3 lacs.
4. Perused the entire material.
5. On perusal of the evidence collected, it is not correct that the applicant

caused damage of worth Rs.15,000/- only, on the other hand, he caused great damage to his own house simply on account of denial for the demand of Rs.1000/- from his father. As the applicant himself is a middle aged person of 39 years of age and looking to the entire conduct and the damage caused, I am not inclined to grant bail to the applicant. Consequently, the instant MCRC is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge