

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7096 of 2017**

- Kamal Kishore Gupta S/o Ramayan Prasad Gupta Aged About 35 Years R/o Ratanpur, Police Station Ratanpur, District Bilaspur Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Ratanpur District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	:	Shri Rajkumar Gupta, Advocate
For Respondent-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****11/12/2017**

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 on 16.09.2017 in connection with Crime No.213/2016 registered at Police Station Ratanpur, Distt. & Revenue Distt. Bilaspur (CG) for the offence punishable under Sections 498 (A)/34, 307 of the I.P.C.
2. As per the prosecution case, on 12.09.2016 a written report was made against the present applicant and the other co-accused that the complainant Anamika Gupta was subjected to torture for demand of dowry and thereafter the applicant and the other co-accused tried to set her ablaze.
3. Learned counsel for the applicant submits that the burn injury sustained by the complainant out of an accident and for considerable period i.e. for 4

years no report was made. He would further submit that it is only when the applicant left the home, the FIR was lodged, therefore, no offence is made out against the applicant and he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim Anamika Gupta. The incident purportedly sated in the year 2012. Charge-sheet in this case has been filed and the other co-accused have been enlarged on Anticipatory bail and the applicant is in jail since 16.09.2017. Considering the same, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri

Judge

Ashu