

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1231 of 2017**

Subhas Laskar S/o Lashkar, Aged about 31 years, R/o Village –
Kurunwa, Ghutarapara, P.S.-Vishrampur, District Surajpur (CG)

---Applicant

Versus

The State of Chhattisgarh, Through SHO – Vishrampur, Police Station –
Vishrampur, District-Surajpur (CG)

---Non-applicant

For Applicant	:	Mr.A.K.Prasad, Advocate
For Non-applicant	:	Mr.Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

06/03/2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.197/2015, registered at Police Station-Vishrampur, District-Surajpur (CG), for the offence punishable under Section 307 of the IPC.

2. First bail application of the applicant has been dismissed as withdrawn with liberty to repeat after the material prosecution witnesses are examined.

3. Case of the prosecution, in brief, is that on 12.10.2015 at about 8 p.m. on account of some domestic dispute, the applicant poured kerosene oil upon her wife and set her ablaze by which she suffered 60% burn injuries and thereby committed the offence.

4. Learned counsel for the applicant would submit that the

applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that burn injury is 30% and no case of offence under Section 307 of the IPC is made out against the applicant. The applicant is in jail since 17.12.2015 i.e. more than one year, therefore, he may be released on bail.

5. On the other hand, learned counsel for the State would oppose the bail application.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the nature of offence, considering the fact that charge-sheet has already been filed and the complainant has already been examined, the fact that the applicant is in jail since 17.12.2015 and trial is likely to take some time, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-

