

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1962 of 2017

- Suresh Kumar S/o Shri Dujeram Kurre, Aged About 28 Years R/o Village Nagarda, Police Station Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Bilaigarh, Civil & Revenue District Baloda Bazar Bhatapara, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. S. K. Guha, Advocate
For the State	:	Mr. Sameer Behar, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.04.2017

1. This is third bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 398 of 2016 registered at P.S. Bilaigarh, Distt. Baloda Bazar Bhatapara (C.G) for the offence punishable under Sections 436 IPC.
2. As per the prosecution case, one Duje Ram, father of the applicant lodged a report on 03.11.2016 that the applicant picked quarrel with his wife, thereafter out of fear, the wife and complainant father went away and then the applicant poured kerosene oil into the house and set it on fire which caused loss of Rs.50,000/-.
3. Learned counsel for the applicant would submit that this is the third bail application; the first bail application was dismissed on 20.12.2016 with liberty to repeat the same after filing of the charge sheet; thereafter on 30.01.2017 again the second bail was dismissed on the ground that after filing of the charge sheet the application has been directly filed before this court. He submits that the charge sheet has been filed; no further investigation is necessary and the applicant is in

jail since 04.11.2016, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned State Counsel opposes the prayer.
5. Considering the facts and circumstances of the case especially the fact that the charge sheet has been filed and the applicant is in jail since 04.11.2016, I am inclined to release him on bail at this stage.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a bail bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court.

Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**

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