

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4927 of 2017

- Amarjeet Garg S/o Shri Punva Garg Aged About 29 Years R/o Chechesara, Tehsil Mungeli, Police Station Mungeli, District Mungeli Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Mungeli, District Mungeli Chhattisgarh. **Respondent**

For the applicant	:	Mr. Achyut Tiwari, Advocate
For the State	:	Ms. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.08.2017

1. This is first 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. 570 of 2016 registered at Police Station Mungeli, Distt. Mungeli (C.G) for the offence punishable under Section 436 of IPC.
2. As per the prosecution case, a report was made by one Hemant Kumar on 07.11.2016 alleging that on 04.11.2016 at about 11 p.m., the applicant set ablaze the house of complainant whereby cycle, rice, oil and other household articles were destroyed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated for the reason that earlier some enmity was existing and inconsistent reports were made by the complainant and in the initial stage, the name of the applicant has not been disclosed. He further submits that the charge sheet has been filed and the applicant is in jail since 30.06.2017, therefore, he may be

enlarged on bail.

4. On the other hand, learned State Counsel opposes the prayer.
5. Perused the case diary which contains the report made by Hemant Kumar wherein it was stated that he was not in know how the fire broke out. Subsequently it appears that later the name of the applicant and others have been mentioned. Further in the statement he has mentioned the name of applicant and stated that he has seen the applicant while fleeing away from the spot whereas the written report shows that the applicant along-with others came , abused and set ablaze the house.
6. Considering the divergent statements of complainant and the fact that the charge sheet has been filed and the applicant is in jail since 30.06.2017, I am inclined to allow the bail application.
7. Accordingly the bail 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 for his appearance as and when directed by the said Court.

Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**