

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.2396 of 2018**

Mangal Das Chaturvedi, S/o Late Ghasiya Chaturvedi, aged about 62 years, R/o Village Mudiyaadeh, Police Station and Tahsil Palari, District (Revenue and Civil) Balodabazar – Bhatapara, Chhattisgarh

---- Applicant**versus**

State of Chhattisgarh through Police Station Palari, District (Revenue and Civil) Balodabazar – Bhatapara, Chhattisgarh

---- Respondent

For Applicant	:	Shri Sumit Jhanwar, Advocate
For Respondent	:	Shri Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****3.5.2018**

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 in connection with Crime No.420 of 2017 registered at Police Station Palari, District Balodabazar – Bhatapara for offence punishable under Sections 302, 147 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the Applicant is father-in-law of deceased Bangala Chaturvedi. Marriage of the deceased was performed with co-accused Manoj 9-10 years prior to her death. It is alleged that thereafter her husband Manoj, in-laws and their other family members started harassing her. On 26.10.2017, all the accused jointly poured kerosene on the deceased and set her on fire due to which she died. First Information Report has been lodged by Dhanesh, brother of the deceased.

3. Learned Counsel appearing for the Applicant submits that the Applicant has falsely been implicated. There is no direct evidence available against the Applicant regarding his involvement in the alleged offence. He is an old person of about 62 years. He is in custody since 18.11.2017. Charge-sheet has been filed. Therefore, he may be released on bail.
4. Learned Counsel appearing for the Respondent/State opposes the bail application. He submits that as per diary statement of Khuman, son of the deceased, at the time, when co-accused Pitamber set the deceased on fire, the Applicant was sitting there in the courtyard and the fire was extinguished after burning of the deceased for sometime. He further submits that in the hospital also, the deceased had told her mother and brothers that all the accused had jointly poured kerosene on her and set her on fire. He submits that sufficient evidence is available against the Applicant. Therefore, the prayer for bail deserves to be rejected.
5. I have heard Learned Counsel appearing for the parties and perused the entire material available with due care.
6. Taking into consideration the facts and circumstances of the case and the evidence collected by the prosecution against the Applicant, I am not inclined to enlarge him on bail.
7. Accordingly, the bail application is rejected.

Sd/-
(Arvind Singh Chandel)
JUDGE