

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7238 of 2018

Hemin Bai W/o Pitamber, aged about 29 years, R/o Village- Mudiyadih, P.S. - Palari, Balodabazar, District- Balodabazar- Bhatapara (C.G.).

--- Applicant

Versus

State of Chhattisgarh, P.S. Palari, District- Balodabazar- Bhatapara (C.G.).

---- Respondent

For Applicant	:	Mr. Arun Kochar, Advocate
For Respondent	:	Mr. Rajkumar Jaiswal, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

31/10/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 420/2017 registered at Police Station- Palari, District- Balodabazar, Bhatapara (C.G.) for the offence punishable under Sections 147 and 302/149 of the IPC.
2. As per prosecution story, it is alleged on 26/10/2017 at about 5 pm, the present applicant along with other co-accused persons, who were more than five in numbers, poured kerosene on the deceased- Bangla Bai and set her on fire with an intention to commit her murder. Later on, a report was made by the father of the deceased. On the basis of said report, offence has been registered and the applicant was arrested on 25/04/2018.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated. There is no

direct evidence against the present applicant. None of the witnesses have stated anything in their statement recorded under Section 161 Cr.P.C that at the time of incident, the present applicant was present on the spot. He further submits that the applicant is in custody since 25/04/2018, charge-sheet has been filed and the trial will take some time, therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. A bare perusal of the record would reveal that there is no direct evidence against the present applicant that at the time of incident, she was present on the spot.
7. Considering the above facts and circumstances of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge