

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8211 of 2018

- Ishwar Singh S/o Chandan Singh Aged About 50 Years Caste Gond, R/o Devri Khurd Chowki Kotmi, Police Station Pendra, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Pendra, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant	: Shri B.P. Singh, Advocate.
For Non-applicant	: Shri Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

11.12.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 240/2018 registered at Police Station – District – Surguja (C.G.) for the offence punishable under Section 307 of the Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Smt. Dayawati is the wife of the complainant. On 04.07.2018 about 4 pm applicant poured kerosene oil on the complainant and set her on fire on account of not cooking meals early.
4. Learned counsel for the applicant argued that the applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. As per the MLC report complainant was 10% burnt , injuries were simple in nature. In query report the doctor has opined that death was not possible.
7. Counsel for the applicant further submitted that complainant had filed an affidavit in support of the bail application filed in the Court of the Additional Sessions Judge, Pendraroad. This fact has been mentioned in the certified copy of the order of the Additional Sessions Judge, Pendraroad dated 12.10.2018 which is part of the bail petition.
8. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE