

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8461 of 2018

- Kamta Patel S/o Shri Patram Patel Aged About 24 Years R/o- Village- Jondhara, Thana- Pachpedi, Civil And Revenue District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through- The Station House Officer, Police Station- Kasdol, Civil And Revenue, District- Balodabazar, Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicant	: Shri Sumit Shrivastava, Advocate.
For Non-applicant	: Shri Suryakant Mishra, PL

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

16.11.2018

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. 459/2018 registered at Police Station – Kasdol, Civil And Revenue, District- Balodabazar, Bhatapara (C.G.) for the offence punishable under Section 306 of the Indian Penal Code.
3. Case of the prosecution, in brief is that the deceased Savita absconded with applicant. She was living with him. Deceased Savita had intimated by telephone to some family members of her that applicant had concealed this fact that applicant was already married. Due to this fact, he was beating her and quarrel was happening frequently. On 09.09.2018, she poured kerosene oil and set herself afire.
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. Counsel for the applicant further submitted that there is no ingredient of section 306 IPC. He drew my attention on the statement of the mother of the deceased recorded u/s 161 Cr.P.C.
7. 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.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE