

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2258 of 2019**

- Ramkaran Vishwakarma S/o Dashrath Vishwakarma, Aged About 40 Years R/o Village Tilkhan, Uchatole, Barau Road, Rewa, M. P. At Present R/o Behind Rashian Hostel, Korba, Tahsil and District Korba, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Out Post C. S. E. B. Korba, Police Station Kotwali, District Korba, Chhattisgarh.

---- Respondent

For Applicant	: Shri G.P. Miri alongwith Basant Kaiwartya, Advocates.
For Respondent/State	: Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**25/04/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 131/2019, registered at Police Station – Outpost C.S.E.B, P.S. Kotwali, District- Korba, (C.G.) for the offence punishable under Section 436 of IPC.
2. As per the prosecution story, 05.03.2019 due to some previous enmity, present Applicant set fire at the house of Complainant which results in burning and destroying of household articles like clothes, books, mobile phones and other articles. Report was made by the Complainant and on the basis of the said, offence has been registered. Applicant has been taken into custody on 07.03.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case due to some previous enmity. He further states that there is nothing on record on the basis of which *prima facie* it can be established that

Applicant has set fire at the house of the Complainant. Charge-sheet has been filed, Applicant is in custody since 07.03.2019 and trial will take time. Therefore, he 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 the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 07.03.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. 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 solvent 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