

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4386 of 2019**

- Surendra Kumar S/o Late Kartik Ram Dewangan Aged About 30 Years R/o Village Serseni, Thana Suhela, Tahsil Palari, District Baloda Bazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station House Officer, Thana Suhela, District Baloda Bazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicant : Shri Deepak Jain, Advocate.

For Non-applicant : Shri D.C. Verma, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****16.09.2019**

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. 126/2019 registered at Police Station – Suhela, District – Baloda Bazar – Bhatapara (C.G.) for the offence punishable under Section 306 of the Indian Penal Code.
3. Case of the prosecution, in brief is that applicant is the husband of the deceased Laxmi Bai. The marriage of them was solemnised 10 years ago. Applicant was harassing deceased. He was not giving her money for her maintenance. On 22.11.2018 a quarrel was happened between them. On 22.11.2018 deceased poured kerosene oil on her

body and set her on fire. She died on 23.11.2018 in Mekahara Hospital, Raipur.

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, however, submits that there is no criminal antecedent against the applicant.
6. Counsel for the applicant drew my attention on the statement of Priyanshu Dewangan recorded under Section 161 Cr.P.C. who is their son.
7. Looking to the above mentioned facts and circumstances of the case, looking to the prima facie material available on record against the applicant, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, this Court is not inclined to grant regular bail to the applicant.
8. Consequently, the present bail application is rejected.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE