

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 739 of 2020**

- Kamal Bharatdwaj, S/o Late Shri Sudama Bharatdwaj, Aged About 23 Years, R/o Gauri Niwas, Behind Royal Enfield Showroom, Tarun Nagar, Pandri, Raipur District - Raipur Chhattisgarh. (Surname wrongly mentioned in certified copy of order as Bhaardvaj).

---- Applicant**Versus**

- State of Chhattisgarh: Through Police Station- Pandri, Raipur, District - Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Aditya Tiwari on behalf of Mr. Aayush Bhatia, Adv.
For Respondent/State	: Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.03.2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 401/2019 registered at Police Station- Pandri, District - Raipur, (C.G.) for the offence punishable under Section 326 (d) of I.P.C.
2. The prosecution story, in brief is that, on 29.10.2019 at about 12:55 PM, the complainant lodged an FIR alleging that present applicant returned to the spot and asked for a matchbox from the complainant, upon being given the matchbox, the applicant poured out some petrol into a disposal cup from his vehicle bearing registration No. CG 04 K 4976 and threw it on the body of the complainant and then took out a matchstick from the matchbox and ignited it with an intention to cause injury to the complainant as a result of which complainant started to catch fire

and got burnt. Thereafter, offence has been registered against the present applicant. Present applicant has been taken into custody since 29.10.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 29.10.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 29.10.2019 as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**