

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.1123 of 2020

- Aashif Kadar @ Firoz, S/o Sheikh Husain, Aged About 32 Years, (Wrongly Mentioned As Aashik Kadar In Order Sheet), R/o M.G. Road, Kadar Bada, Near Gurunanak Chowk, P.S. - Moudahapara, Raipur, District Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station - Moudahapara, Raipur, District Raipur, Chhattisgarh

---- Respondent

For Applicant	Shri Awadh Tripathi, Advocate
For Respondent-State	Shri K. K. Singh, GA
For Respondent-Objector	Shri Raza Ali, Advocate

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

26/08/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.171/2019, registered at Police Station Moudahapara, District Raipur (C.G.) for the offence punishable under Sections 307 & 342 read with Section 34 of IPC.
2. The incident occurred on 22.08.2019 when the applicant confronted the injured about her one night stand with her previous husband. In the dying declaration and FIR, both recorded on 29.08.2019, she would state that after the applicant confronted her about the above incident, he poured kerosene oil

over her body and threatened that if her version is correct, she should ignite herself, otherwise her child would be thrown on the ground. The injured thereafter ignited herself and sustained 45% burn injuries.

3. Learned State counsel and learned counsel for the objector would vehemently oppose the prayer for grant of bail.
4. Considering that the applicant is in jail since 06.09.2019 i.e. for almost a year and the manner in which the entire incident took place, this Court is inclined to release the applicant on bail.
5. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
Prashant Kumar Mishra
Judge

Nirala