

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1885 of 2020

- Anwar Khan, S/o. Shri Shabbir Khan, Aged about 38 years, Resident of Village Nawagarh P.S. and Tehsil Nawagarh, District Janjgir-Champa Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Nawagarh, District Janjgir- Champa Chhattisgarh

---- Respondent

For Applicant	: Shri Sumit Singh, Advocate
For Respondent/State	: Shri Ayaz Naved, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/06/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 289/2019 registered at police station Nawagarh, district Janjgir-Champa (CG) for the offence punishable under Sections 302 and 201 IPC.

As per prosecution case, report was lodged by the applicant alleging that his younger brother was having love affair with the deceased and due to some differences they got separated. It is alleged that after ten years of their separation deceased came to the house of the applicant, abused the applicant and his family members and out of anger the applicant assaulted her on the head with a

concrete slab and she died. It is further case of the prosecution that the applicant, after pouring kerosene oil, set her ablaze.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant is in jail since 04.11.2019, charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion therefore he may be granted bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of offence as alleged against the applicant, I am not inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge