

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4414 of 2020

- Manoj Kumar, S/o. Chauthram patel, Aged about 23 years, R/o. Village Salihaghat, Police Station Bhatgaon, District civil and Revenue Baloda Bazar-Bhatapara CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Police Station Bhatgaon, district Revenue and Civil Baloda Bazar-Bhatapara CG

---- Respondent

For Applicant	: Shri Sumit Jhanwar, Advocate
For Respondent /State	: Ms. Sunita Jain, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

18/08/2020

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. 106/2020 registered at police station Bhatgaon District Civil and Revenue Baloda Bazar-Bhatapara, (CG) for the offence punishable under Sections 307 and 498-A IPC.

As per prosecution case, report was lodged by the complainant alleging that the applicant used to harass her for demand of dowry. It is alleged that on the date of incident, when she was sleeping in her room, at about 3.00 am, applicant poured kerosene oil and set her ablaze,

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that there was delay in

lodging the FIR as she has lodged the report after recovery from the hospital. He submits that the applicant is in jail since 15.05.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application and submits that in the dying declaration, after three days, she has stated that she was set on fire by the applicant.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation 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