

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6721 of 2020

Rajuram Mandavi, S/o Kishun Mandavi, aged about 30 years, Police Station- Gandai (not mention in Annexure A/01), Cast- Gond, R/o Village Doujri, Tahsil- Chhuikhadan, District- Rajnandgaon (CG)

---- Applicant

Versus

State Of Chhattisgarh Through Police Station- Gandai, District- Rajnandgaon (CG)

---- Respondent

For Applicant	:	Shri Hemant Kesharwani, Advocate
For State	:	Shri Dinesh Tiwari, Dy. Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/11/2020

Heard.

1. The applicant is arrested in connection with Crime No.129/2020 registered in Police Station –Gandai, District- Rajnandgaon (CG) for alleged commission of offence under Section 436 IPC.
2. Case of the prosecution, in brief, is that the applicant set on fire his own house after his wife and children left the house after dispute and it was a dwelling house occupied by the applicant and his father both.
3. Learned counsel for the applicant would submit that the applicant has not committed any such offence and he has been falsely implicated in the case. It is next submitted that total loss is stated to be about Rs.25,000/- and nobody is injured. He further submits that investigation is complete and charge sheet has also been filed and the applicant is in jail since 5.8.2020, therefore, at this stage, he may be granted bail.

4. On the other hand, learned counsel for the State opposed the bail application by submitting that there is prima facie material to show that the applicant set his own house on fire which was being used as dwelling house by his wife, children and also his father.
5. Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration the nature and gravity of allegation and that there is prima facie material available regarding involvement of the applicant in setting on fire the dwelling house in which the applicant himself, his family and father were residing, present is not a fit case for grant of bail. However, in case there is delay in trial, the applicant would be at liberty to revive the application.
6. The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge