

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8274 of 2019**

- Gagan Dubey, S/o Punnu @ Ramakant Dubey, Aged About 23 Years, R/o village Sakha, Police Station- Chhuikhadan, Tahsil- Chhuikhadan District- Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through : Station House Officer, Police Station- Chhuikhadan, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Pushpendra Kumar Patel, Adv.
For Respondent/State	:	Ms. Reena Singh, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06.02.2020**

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. 582/2019 registered at Police Station- Chhuikhadan, District- Rajnandgaon (C.G.) for the offence punishable under Section 307 of IPC.
2. The prosecution story, in brief is that, on 02.08.2019, the applicant demanded some money from his mother, but his mother refused to same, then applicant poured kerosene oil upon his mother. Based on this, offence has been registered. Present applicant has been taken into custody on 03.08.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The applicant is in jail since 03.08.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.
4. On the other hand, counsel for the State opposes the bail

application submitting that the applicant did a very heinous crime and poured kerosene oil upon his mother with intention to kill her so, it is not a fit case to release him on bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

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

Ruchi