

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 143 of 2021

- Doman Lal Dhiwar S/o Shri Satruhan Dhiwar, aged about 37 years, R/o Village Kumhali, Tehsil Patan, P.S. Ranitarai, District Durg (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through District Magistrate, District Durg (C.G.)

---- State/Non-applicant

For Applicant	:	Shri Avinash Chand Sahu, Advocate
For Non-Applicant/State	:	Shri Dinesh Kumar Tiwari, Deputy Governmet Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

11.02.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 29.05.2020 in connection with Crime No. 72/2020 registered in Police Station Ranitarai, District Durg (CG) for the offence punishable under Section 302 of IPC.
2. Allegation against the present applicant is that he committed murder of his wife by pouring kerosene and set her on fire and it was seen by his daughter and son.
3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the crime in question. He also submits that the applicant is in jail since 29.05.2020 and conclusion of the trial is likely to take some time, therefore, the applicant be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, particularly considering the statements of eyewitness namely Ku. Devika Dhiwar and Chandan Lal

Dhiwar (daughter and son of the applicant) that the applicant committed murder of his wife by pouring kerosene and set her on fire and the material collected by the Investigation Officer, as per postmortem report, the deceased sustained burn injury, without expressing any opinion on merits of the case, this Court is of the opinion that present is not a fit case for releasing the applicant on bail. Accordingly, the application is rejected.

Sd/-

(Gautam Chourdiya)
Judge

vatti