

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1411 of 2021**

1. Sarita Rajwade D/o Atwar Rajwade Aged About 27 Years R/o Village Kotiya, Amapara Police Station Jaingar District-Surajpur, Chhattisgarh At Persent Bishunpur Police Station Gandhinagar District Surguja, Chhattisgarh.
2. Santosh Gupta S/o Late Rajkishore Gupta Aged About 44 Years R/o Sundarpur, Police Station and Tahsil Ambikapur, District Surguja, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through Station House Officer Police Chowki Manipur Police Station Ambikapur, District Surguja, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Sunil Tripathi, Advocate.
For Respondent	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.06.2021**

- Proceeding through video conferencing.
- The applicants have filed this **First Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 64/2021 registered at Station House Officer, Police Chowki- Manipur P. S. Abmikapur, District Surguja (C.G.) for the offence punishable under Sections 307, 498, 294, 506-B, 34 of the IPC.
- According to the prosecution case, the allegation against the present applicants is that they have hurled abuses,

committed marpeet and set fire on the victim after pouring the kerosene oil on her, due to which she got injured.

- Learned counsel appearing on behalf of the applicants would submit that the applicants are innocent and have been falsely implicated in the case. He would further submit that the applicants were preparing ordered food and the victim herself came to the incident place which shows that the applicants were not in premeditated minds with regard to commission of offence, only due to the sudden and provocative circumstances the incident took place. The applicants are in custody since 17.01.2021 and they are ready to furnish adequate surety and shall abide by all the conditions and directions imposed upon them, therefore, they may be released on bail.
- Per contra, learned counsel appearing on behalf of the State opposes the bail application and submits that applicant Santosh Gupta is husband of the victim and he wants to perform his second marriage with the applicant Sarita Rajwade. The applicants pressurized the victim, committed marpeet and set her on fire after pouring kerosene oil.
- I have heard learned Counsel for the parties.
- Considering the facts and circumstances of the case, nature and gravity of the offence, as the applicants are in jail since 17.01.2021 and the trial is likely to take some time, without further commenting on merits of the case, I

am inclined to release them on bail.

- Accordingly, the bail application is allowed.
- It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- each, with one local surety for the like sum amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Vacation Judge

V/-