

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 717 of 2021**

Dhaniram Korram S/o Late Sagram Korram, Aged About 40 Years, R/o Village Masora, P. S. Kondagaon, District Kondagaon Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh through the Police Station Kondagaon, District Kondagaon Chhattisgarh.

---- Non-applicant

For Applicant : Mr. Raza Ali, Advocate

For Non-applicant/State : Mr. B.L. Sahu, Panel Lawyer

(Proceedings through Video Conferencing)
Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

20.07.2021

1. The applicant has preferred this first bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail, as he is apprehending his arrest in connection with Crime No. 174 of 2021 registered at Police Station Kondagaon, District Kondagaon, C.G., for offence punishable under Section 307 of Indian Penal Code.
2. Case of the prosecution, in brief, is that, on 05.04.2021, at about 10.00 AM when Ramuram went to under-construction house of Prakash Yadav, at that relevant time, present applicant came there and took out petrol bottle brought by him, thrown petrol over Ramuram and tried to set on fire with matchstick. Looking upon the said act, Prakash Yadav, Manjeet Yadav and Ramesh Yadav intervened and stopped the applicant from putting fire. The

complaint was lodged on 27.05.2021, based upon which, instant crime is registered against the present applicant.

3. Mr. Raza Ali, learned counsel for the applicant submits that marriage of daughter of applicant was fixed with the complainant, but for one or the other reason, marriage was cancelled, since then, complainant was having enmity with present applicant, therefore, false and frivolous allegation has been levelled against him. He further submits that there is delay in lodging the First Information Report of more than one month, hence, applicant may be enlarged on anticipatory bail.
4. Per contra, Mr. B.L. Sahu, Panel Lawyer for the State vehemently opposes the bail application and submits that present applicant was keeping enmity with complainant Ramuram on the ground that at his instance, marriage of daughter of applicant was fixed with one Dharmendra, after some time, daughter of the applicant, by name, Santoshi went away along with Dharmendra to his village. After residing there for some time, when she returned back to house of the complainant, again she pressurized Dhaniram to let her go to the house of Dharmendra. On 05.04.2021, when Ramuram was near the under-construction house of Prakash Yadav, the applicant came there took out a bottle of petrol in his possession and poured over the complainant and also tried to set on fire through matchbox, which was intervened by Prakash Yadav, Manjeet Yadav and Ramesh Yadav. He further submits that there is eyewitness to the incident. Eyewitnesses are the independent persons who are not related in any manner with the

complainant. He read over the statement recorded under Section 161 of Cr.P.C. of Manjeet Yadav and Ramesh Yadav in support of his contention.

5. I have heard learned counsel for the parties.
6. Taking into consideration the nature of allegations that the applicant poured petrol from the bottle at about 10.00 AM, tried to set fire and the incident was witnessed by Prakash Yadav, Manjeet Yadav and Ramesh Yadav, I do not find it to be a fit case to enlarge the applicant on anticipatory bail.
7. Accordingly, anticipatory bail application is dismissed.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge