

HIGH COURT OF CHHATTISGARH, BILASPUR

Proceeding Through Video Conferencing

MCRC No. 440 of 2021

1. Puran Baghel S/o Shri Ishwar Prasad Baghel, aged about 50 years,
2. Chatrapal Baghel @ Daga Baghel S/o Shri Puran Baghel, aged about 26 years

Both are R/o Village Raita Dharsiva Distt. Raipur Civil and Revenue Distt. Raipur (C.G.)

---- Applicants

Versus

State of Chhattisgarh through through Police Station Dharsiva Raipur (C.G.)

---- Respondent

For Applicants	:	Mr. Ajay Mishra, Advocate
For Respondent	:	Mr. Anand Verma, Dy. Advocate General

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

13/04/2021

1. The applicants have preferred first bail application under Section 439 of the Cr.P.C for grant of regular bail as he is in jail since 08/03/2020 in connection with Crime No. 101/2020 registered at Police Station- Dharsiva, Raipur (C.G.) for the offence punishable under Section 302/34 of the IPC.
2. As per prosecution story on 07/03/2020 at about 10:00 am, husband of the Deceased had gone to drop his son at Aganwadi. The Deceased was alone in her house, at that time the accused persons, due to allegation of rape which the Deceased made against the brother-in-law, poured kerosene on the Deceased and set her on fire. The deceased died on 11/03/2020. The matter was reported and the applicants have been arrested on 08/03/2020.

3. Learned counsel appearing on behalf of the applicant submits the applicant is an innocent person and has been falsely implicated in the present case. He further submits that the applicant is in jail since 08/03/2020 and trial will take time, therefore, he prays to release the applicant on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Looking to the statements of the Deceased and witnesses available on record and the allegations made against both the applicants that they poured the kerosene on the Deceased and set her on fire, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application is rejected.

Sd/-
(Gautam Chourdiya)
Judge