

(2018) 06 CHH CK 0189

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 3899 Of 2018

Yashvant Kosle

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: June 27, 2018

Acts Referred:

- Indian Penal Code, 1860 - Section 34, 302, 307
- Code Of Criminal Procedure, 1973 - Section 439

Hon'ble Judges: Sharad Kumar Gupta, J

Bench: Single Bench

Advocate: Sameer Singh, Dheeraj Wankhede

Final Decision: Dismissed

Judgement

Sharad Kumar Gupta, J

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending

before any other court.

2. Perused the case diary.

3. The applicant has been arrested on 27-8-2017 in connection with Crime No. 220/2017 registered in police station Nandghat, Distt. Bemetara (CG)

for offence punishable under Sections 307, 302/34 of the IPC.

4. Prosecution story in brief is that deceased Chameli Bai had gone to Police Out Post Chandnu on 15-8-2017 at about 11 am in semi-burn condition

and told that her mother-in-law, father-in- law, brother-in-law (Jeth), sister-in-law (Jethani) poured kerosene and set her on fire. In the dying

declaration it is mentioned that her sister-in-law Rukmani poured kerosene on her body and mother-in-law, father-in-law, and Yashwant, brother-in-law set her on fire.

5. Counsel for the applicant draws my attention towards the statement of father, mother and brother of the deceased recorded in the Court as

prosecution witness. He also submits that as per the information supplied by the Head Master, on 15-8-2018, the applicant was present in the school.

6. On the other hand, State counsel opposed the bail application.

7. At this State, the aforesaid circumstances are not helpful to the applicant to grant him bail.

8. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.

9. Consequently, the MCRC is dismissed.