

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 1063 of 2015

Dinesh Kumar Shukla, son of late Shri Devi Prasad Shukla, aged about 59 years, resident of Rajgamarg, Civil and Revenue District Korba, Chhattisgarh
--- **Applicant**

Versus

State of Chhattisgarh, through Police Station Civil Lines, Bilaspur, District Bilaspur, Chhattisgarh
--- **Respondent**

For the applicant : Mr. U.K.S. Chandel, Advocate.

For the Respondent : Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.11.2015

1. Apprehending arrest in connection with Crime No. 534/2015 registered at Police Station Civil Lines, Bilaspur (C.G) for the offences punishable under Sections 498-A/34 of IPC, the applicant has filed this application under Section 438 Cr.P.C., for grant of anticipatory bail.
2. As per the prosecution case, a written report was lodged by the complainant Smt. Anupam Shukla that she was married to Akhilesh Shukla on 29.11.2011 and thereafter, she joined matrimonial home with her husband at Hyderabad. It is alleged that subsequently she was subjected to cruelty and an amount of Rs.25 lakhs was demanded to start the business of brother-in-law Arvind Shukla who are residents of Bilaspur. It is stated that at different points of time when she visited Bilaspur, she was subjected to torture by the family members of her husband for bringing less dowry.
3. Learned counsel for the applicant submits that the applicant is a Government servant and considering the statement of the wife, the primary allegations are against the husband and not against the present applicant as initially she was staying at matrimonial home at Hyderabad and thereafter, from 2013 she is living with her parents. He further submits that only general allegations have been made against the present applicant and the divorce petition has also been filed by the husband. Therefore, he prays that looking to the background of the entire case, the applicant may be enlarged on

anticipatory bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. I have gone through the case diary as also the statements and other documents enclosed therewith. A perusal of the statement of the complainant and the conciliation proceedings which are available in the case diary shows that the primary allegations are against the husband. Therefore considering the allegations made against the present applicant who is father-in-law of the complainant, I am inclined to enlarge the applicant on anticipatory bail.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any police officer;
 - (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**