

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 1094 /2015

Pramod Kumar Shivvanshi, S/o. Pawan Singh Shivvanshi, Aged About 27 Years, R/o. Behind Masjid Nehru Nagar, Ward No. 12, Bhilai-3, Tahsil Patan, Police Station Purani Bhilai, District Durg, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through District Magistrate Durg, Police Station Purani Bhilai, District Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. Rajesh Kumar Sharma, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/11/2015

1. Apprehending arrest in connection with Crime No.360/2015 registered at Police Station- Purani Bhilai, District Durg (C.G.) for the offence punishable under Section 498-A/34 of the Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, in brief, soon after marriage, the complainant was compelled to go back to her parental house and thereafter when she was brought back she is being harassed and subjected to cruelty for demand of dowry.
3. Learned counsel for the applicants submits that the other co-accused has been enlarged on bail and the allegation against this applicant is similar; therefore, the he may be enlarged on anticipatory bail.
4. Per contra, the learned State counsel opposes the prayer for grant of anticipatory bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Perusal of order passed in M.Cr.C.A. No.936/2015 would show that two co-accused have been granted bail on the ground that the primary allegations are against the husband i.e. the present applicant; therefore, taking into totality of the case, I am not inclined to grant anticipatory bail to the applicants, as perusal of case diary would indicate that it is not a case wherein it can be assumed that custodial interrogation may not be required. Consequently, I am not inclined to allow the application.
7. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge