

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 489 of 2015

1. Farid Mohammed Memon S/O Late Shri Ali Dada Bhai Aged About 55 years R/O Sakin-Gram- Sohagpur, Police Station-Urga, District- Korba, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through: Station House Officer, Police Station- Civil Line, District- Raipur, Chhattisgarh

---- Respondent

For Applicant : Ms. Ruchi Nagar, Advocate
For Respondent/State : Shri Vinod Tekam, Panel Lawyer

Order On Board

30/06/2015

The applicant is apprehending his arrest in connection with Crime No.223 of 2015 registered at Police Station Civil Line, District Raipur for alleged commission of offence under Section 498-A/34 and Section 377 of IPC.

2. Case of the prosecution is that the complainant was harassed by her husband, mother-in-law and father-in-law (applicant) in connection with demand of dowry. Allegation against the applicant is that at one point of time, he also told the complainant to provide truck owned by her father.

3. Learned counsel for the applicant submits that the allegations against the applicant are vague and stray in nature. The whole allegation of harassment and unnatural act is against her husband and there is no specific role alleged to have been played by the applicant.

4. On the other hand, learned State counsel opposes the prayer for grant of bail by submitting that against the applicant also, there is specific allegation of demand of truck.

5. Taking into consideration the nature of allegation against the applicant, particularly taking into consideration that the allegation of commission of offence under Section 377 of IPC has been leveled against other accused and not against the present applicant, the application is allowed.

6. 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 arresting officer on furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the arresting officer with following further conditions that:

- (I) the applicant shall make himself available for interrogation by the police officer as and when required;
- (ii) 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 from disclosing such facts to the Court or to any police officer.

Certified copy as per rules.

Sd/-

Manindra Mohan Shrivastava

JUDGE