

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No.540 of 2015**

Onkar Prasad Sahu, S/o Ramjhul Sahu, aged about 28 years, resident of R.M./12, Nehru Nagar, Kusmunda, Police Station Kusmunda, Tehsil-Katghora, District Korba (C.G.)

---- Applicant

Versus

State Of Chhattisgarh through: Station House Officer, Police Station-Kusmunda, District Korba (Chhattisgarh)

---- Respondent

For Applicant	:	Shri Basant Dewangan, Advocate
For Respondent/State	:	Smt. Shubha Shrivastava, Panel Lawyer

Order On Board**10/07/2015**

The applicant is apprehending his arrest in connection with crime number i.e.57/2015, registered at Police Station Kusmunda, District Korba for the offence punishable under Section 498-A of the Indian Penal Code and Section 3, 4 of Dowry Prohibition Act.

2. Case of the prosecution is that the applicant, who is husband, harassed his wife and subjected her to cruelty in many ways and demanded dowry.
3. Learned counsel for the applicant submits that the dispute existed between the husband and wife, but the allegations are exaggerated. It is submitted that the marriage was solemnized long back on 24-05-2013 and there is also a child born out of their wedlock on 11-05-2014. It is further submitted that the applicant is ready to live with his wife but she did not come back and after a long time, FIR has been lodged.
4. On the other hand, learned counsel for the State opposes the bail application and submits that there is a clear allegation of harassment against the applicant-husband.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the report has been lodged after 10 months of the conciliation proceedings and there is no specific allegation of physical violence of particular nature nor any injury is found in the medical examination, 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 on furnishing a personal bond for a sum of Rs.20,000/ with one local surety in the like sum to the satisfaction of the arresting officer, on the following conditions that:

(I) he shall make himself available for interrogation by a police officer as and when required;

(ii) he 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, *and*

(iii) he shall cooperate with the investigation as and when he is called.

Sd/-

Manindra Mohan Shrivastava
Judge