

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1084 of 2015

- Umesh Kumar Sharma S/o Shri Salik Ram Sharma, aged about 32 years, R/o Shivaji Nagar, Aamapara, Ward No. 11, Rajim, Post Office & Police Station Rajim, District Gariyaband Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Rajim, District Gariyaband Chhattisgarh.

---- Respondent

For the applicant	:	Mr. Shivendu Pandya, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate.
For the objector	:	Mr. J.A. Lohani, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.11.2015

1. Apprehending arrest in connection with Crime No. 182/2015 registered at Police Station Rajim, District Gariyaband (C.G) for the offences punishable under Sections 498-A IPC, the applicant has filed this application under Section 438 Cr.P.C., for grant of anticipatory bail.
2. As per the prosecution case, the complainant was married to the applicant on 09.05.2015 and thereafter she was subjected to torture for demand of dowry and the husband used to commit unnatural sexual intercourse with the wife. It is further alleged that subsequently on 08.08.2015 while she was working in the kitchen a quarrel broke out and she was assaulted by means of knife. The matter is tried to be compromised but ultimately it has led to filing of report.
3. Learned counsel for the applicant submits that the complainant has sustained injury in kitchen while cutting vegetables and the injury has not been caused by the applicant. He further submits that the applicant has been falsely implicated in this case and no case is made out.
4. Per contra learned State Counsel as also learned counsel for the objector oppose the bail application.
5. A perusal of the statement of the complainant Smt. Pooja Sharma

would show that she was subjected to torture and was further subjected to unnatural sexual intercourse, for which, she was put to medical examination.

6. Considering the statement of the complainant under section 161 Cr.P.C., I am not inclined to release the applicant on anticipatory bail 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. Accordingly, the bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao