

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1235 of 2015

1. Neel Kumar, S/o. Pujerilal, aged about 32 years, Caste- Jaiswal, R/o. Village – Judga, Tahsil and Police Station – Sakti, Civil and Revenue District – Janjgir-Champa (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station – Sakti, District – Janjgir-Champa (C.G.)

---- Respondent

For Applicant	: Mr. Dharmesh Shrivastava, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11/12/2015

1. Apprehending arrest in connection with Crime No.248/2015 registered at Police Station- Sakti, District – Janjgir-Champa (C.G.), for offence punishable under Section 498-A, 34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, the applicant and other accused harassed the prosecutrix in connection with demand of dowry and subjected her to cruelty.
3. Learned counsel for the applicant would submit that the allegations are improbable as well as exaggerated. He would further submit that since the wife is not able to bear the child and there was some difference exists and on trivial issue, the FIR has been lodged. He would further submit that on similar allegation, the bail of other co-accused i.e. the mother-in-law and father-in-law has been considered by the Coordinate Bench of this Court in M.Cr.C.(A) No.1003/2015 vide order dated 15.10.2015, therefore, the counsel

submits that the applicant may also be extended the benefit of anticipatory bail.

4. Per contra, the learned State counsel opposes the bail application.
5. I have perused the case diary and the report. Allegations were made that the complainant was not able to bear the child, which resulted into dispute. Taking into the allegations levelled against the applicant and the fact that other co-accused persons have been enlarged on anticipatory bail by the Coordinate Bench of this Court in M.Cr.C.(A) No.1003/2015 vide order dated 15.10.2015, this Court is inclined to extend the benefit of anticipatory bail to the applicant.
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 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 to any police officer;
 - (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

- (iv) that 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram