

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. (A) No. 375 of 2016

Sumit Soni S/o. Krishna Kushal Soni, Aged about 30 years, R/o. Village and Post Dewarbeeja, P.S. Bemetara, Tahsil and District Bemetara, Civil and Revenue District Bemetara (C.G.), Present Address- Bheemnagar, Kushalpur, P.S. Purani Basti, Tahsil and District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through P.S. Bemetara, District Bemetara (C.G.)

---- Respondents

For Applicant	:-	Mr. Rajesh Roshan Singh, Advocate
Respondent/State	:-	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21/04/2016

1. Apprehending arrest in connection with Crime No. 410 of 2015 registered at Police Station City Kotwali, Bemetara, District Bemetara, (C.G.) for the offence punishable under sections 498 A & 34 of the Indian Penal Code. The applicant has preferred this application for grant of anticipatory bail.

2. As per the prosecution case, the complainant was married to the applicant on 18.04.2015. Thereafter, she was subjected to torture for different reasons and on 22.07.2015, the FIR was lodged by the wife alleging that the applicant has demanded motorcycle and ornaments.

3. Counsel for the applicant submits that on trivial issue, the report was made. He further submits that the complainant and the applicant has

entered into compromise and they are living together. He further places on record the certified copy of the order sheet dated 06.04.2016 of proceedings under section 125 of Cr.P.C. and submits that both are living together and prays that the applicant may be given the benefit of anticipatory bail

4. Per contra, State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the statement as also the certified copy of order sheet which is placed on record. Considering the allegation levelled against the applicant are general in nature; taking into the fact that the applicant and the complainant are living together, therefore, I am inclined to release the applicant on anticipatory bail.

6. Accordingly, the anticipatory bail application is allowed.

7. 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 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) 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.

Sd/-
(Goutam Bhaduri)
JUDGE

Santosh