

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 711 /2016

Veeru Dewangan, S/o. Shri Gyan Chand Dewangan, Aged About 32 Years, R/o. Daupara, Deendayal Upadhyay Nagar, Mungeli, P.S. Mungeli, Distt. Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station City Kotwali, District Dhamtari, Chhattisgarh

---- Respondent

For Applicant : Mr. Vinay Pandey, Advocate.
For Respondent : Ms. Shobha Kashyap, Govt. Advocate.
For Objector : Mr. C.R.Sahu, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/08/2016

1. Apprehending arrest in connection with Crime No.196/2016 registered at Police Station- City Kotwali, Distt. Dhamtari (C.G.) for the offence punishable under Section 498 of Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, a complaint was made by one Swati Tarar that she was married to the present applicant on 12.02.2016 and thereafter she was subjected to torture for demand of dowry and initially a Car was demanded which was fulfilled and subsequently an amount of Rs.10 Lacs was demanded, thereafter, she was forced to leave the house and, as such, the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and initially a Car was given to the wife i.e. the complainant by her father, which has been taken back and further omnibus allegations have been made that demand is made, therefore, the applicant may be enlarged on anticipatory bail.

4. Per contra, learned State counsel and learned counsel for the Objector opposes the prayer for grant of anticipatory bail.
5. Perused the statement and the report as also the conciliation proceeding. Considering the nature of allegation against this applicant and further considering the conciliation proceeding, I find it to be a fit case where the benefit of Section 438 of Cr.P.C. can be extended 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 furnishing a personal bond to a 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