

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4164 of 2016

- Dr. Choleswar Chandrakar S/o Bharat Lal Chandrakar Aged About 41 Years R/o Main Road, Kachna, Post Saddu, Tahsil & District Raipur, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police of Police Station Civil Lines, Bilaspur, District Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. S.C. Verma, Advocate
For the Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 101 of 2016 registered at P.S. Civil Lines, Bilaspur (C.G) for the offence punishable under Section 420, 120-B, 34 of IPC.
2. As per the prosecution case, on 24.07.2015 a report was made by one J.N. Chandra against the applicant that his daughter was married to the applicant in the year 2009 and during the marriage, the applicant has exaggerated the facts about financial status, educational qualifications, employment, monthly earnings etc., and thereby has allured and cheated the complainant to perform marriage with his daughter.
3. Learned counsel for the applicant submits that the marriage was performed long back in the year 2009 and the report was made in the year 2015 as some matrimonial dispute arose between the parties. It is further contended that the

nature of allegations would go to show that the applicant has not committed any offence and the delay in lodging the report is also apparent on the fact of record. It is further submitted that considering the nature of allegations and the *inter-se* dispute between the parties, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents. It shows that the report was made by J.N. Chandra on 24.07.2015 that his daughter was married to the applicant on false facts projected by the applicant at the time of marriage about his holding of assets, qualifications, monthly earnings etc.,
6. After perusal of the case diary documents and considering the totality of facts and circumstances of the case, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE