

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 459 of 2016

- Thakur Prasad @ Pintu S/o Late Mahanand Mishra Aged About 27 Years R/o Ward No. 2 Maa Karma Ward, Behind Vivekanand School, Kasturba Road Kawardha, Civil & Rev. District Kabirdham, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Kawardha, District Kabirdham Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. P.P. Sahu, Advocate.
For the Respondent	:	Mrs. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

12.05.2016

1. Apprehending arrest in connection with Crime No. 14/2016 registered at Police Station Kawardha, District Kabirdham (C.G) for the offence punishable under sections 498-A/34 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, the applicant was married to complainant Bhuneshwari on 30.05.2015 and thereafter she stayed at her matrimonial house for two months and the report was made on 30.11.2015 that she was subjected to torture in many ways for demand of dowry, thereby the offence has been committed.
3. Learned counsel for the applicant submits that omnibus allegations have been made against the applicant and other family members and no specific allegations have been made against them and the complainant never

wanted to stay in the matrimonial house.

4. Per contra, learned State Counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary and the statement of complainant as also the conciliation proceedings. A perusal thereof would show that only general allegations have been attributed to this applicant.
6. Considering the nature of allegations against the applicant which are general in nature and omnibus allegations have been levelled against the family members, I am inclined to release the applicant on anticipatory bail.
7. Accordingly, the 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 officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that he shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that he 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 any police officer;
 - (iii) that he shall not act in any manner which will be prejudicial to fair and expeditious

trial; and

- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao