

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 273 of 2016

Ravi Agarwal S/o Late Ramkishore Agrawal Aged About 34 Years
R/o - Maruti Enclave, 33/B, Tatibandh, Police Station - Amamnaka,
Distt. Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
: Amanaka, Raipur Distt. Raipur, Chhattisgarh.

---- Respondent

For applicant – Miss. K. Tripthi Rao, Advocate.
For Respondent/State –Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/03/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No.261/2015 registered at Police Station Amanaka, Distt. Raipur (C.G.) for offence punishable under 498 A and 34 of Indian Penal Code.
2. As per the prosecution case a report was made by complainant Anju Agrawal that she was married to Ritesh Agrawal on 28/05/2015 and thereafter she was subjected to torture for demand of dowry by the applicant and other co-accused. Thereby, offence is committed.
3. Learned counsel for the applicant submits that complainant Anju Agrawal was married to Ritesh Agrawal on 28/05/2015, however she immediately left her matrimonial house and thereafter she did not return. As such husband Ritesh Agrawal filed a case under Section 9 of Hindu Marriage Act for restitution of conjugal rights and thereafter for judicial separation under Section 10 of the Hindu Marriage Act. It is submitted that no allegations have been attributed to this applicant who is brother-in-law of the complainant and only general allegations have been made,

therefore the applicant may be granted benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the case diary, statement and the report as also conciliation proceedings. Considering the nature of allegations and conciliation proceedings, I am inclined to extend 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 local 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) 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

