

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 381 /2016

Vikram Singh Songara, S/o. Kon Singh Songara, Aged About 68 Years,
R/o. Bilseri, Police Station Hathuniya, Tehsil & District Pratapgarh,
Rajsthan.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer (S.H.O.), Police
Station- Women Police Station, Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. B.N.Nande, Advocate.

For Respondent : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/04/2016

1. Apprehending arrest in connection with Crime No.37/2015 registered at Police Station- Women Police Station, Raipur (C.G.) for the offence punishable under Section 498(A), 506, 34 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, the complainant, Sangeeta was married to Ranjeet Singh on 23.11.2008 and thereafter, she joined her matrimonial home at Bilseri, Rajasthan. Subsequently, after two years i.e. in the year 2010, she came back to Raipur and the husband also started residing thereafter, the husband went back and it is the case of the prosecution after a day of the marriage i.e. on 24.11.2008, the applicant alongwith father-in-law of the complainant demanded money for dowry.

3. Learned counsel for the applicant submits that the applicant is the father-in-law and the marriage was of the year 2008 and thereafter the complainant resided at Rajasthan and came back to Raipur alongwith her husband and they were residing at Raipur. Subsequently, the son of the applicant i.e. husband of the complainant filed an application under Section 9 of Hindu Marriage Act for restitution of conjugal rights, which was allowed and thereafter the report is made. It is submitted that the false allegations have been attributed against this applicant, therefore, he may be enlarged on bail.
4. Per contra, the learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary, statement and the documents. Admittedly an application under Section 9 of the Hindu Marriage Act was allowed which was filed by the husband at Rajasthan and subsequently, a report has been made on 24.08.2015. Taking into the general allegations and the fact that the applicant is prima facie appears to be resident of Pratapgarh, Rajasthan, this Court is inclined to extend the 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 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