

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 708 of 2016

Mohd. Khursid Alam, Aged About 40 Years, S/o Israiel, R/o H. No. 102, Street -3, Sunder Nagar, West Kohka, Bhilai, P.S. Supela, District Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, P.S. - Supela, District Durg Chhattisgarh.

---- Respondent

For applicant –Shri Vipin Tiwari, Advocate.
For Respondent/State – Shri Lav Sharma, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

10/08/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 554/2016 registered at Police Station Supela, District-Durg (C.G.) for offence punishable under Sections 498 (A), 506, 34 of I.P.C. and Section 4 of Prohibition of Dowry Act.

2. As per the prosecution case, a report was made by Alsabha W/o Surfaraj that she was married on 22nd November, 2015. Subsequently, at the time of marriage demand of dowry was made. Subsequently, when she joined her matrimonial home same demand continued. Thereafter, when the husband left for the job at Saudi Arabia and thereafter on the trivial issues she was assaulted and during such stay demand of car was made by the applicant and when she was constrained to leave the house at one time applicant alongwith other co-accused forcibly tried to take the complainant to their house and abused also.

3. Learned counsel for the applicant submits that general allegations have been attributed against the applicant, no specific allegations have been made and false allegations have been levelled and this applicant is practicing

lawyer, he is not going to abscond, therefore he submits that applicant may be granted benefit of anticipatory bail.

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

5. Perused the statement of the victim. After going through the statement, considering the general nature of allegation against the applicant, 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

