

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1283 of 2015

- Navdeep Kumar Sahu S/o Kamlesh Kumar Sahu Aged About 32 Years Occupation Government Service (Rural Agriculture Development Officer) Presently Residing At Hirmi, Tahsil Simga, Civil & Revenue Distt. Baloda Bazar Bhatapara, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Police Station Woman Cell, Raipur, Distt. Raipur, Chhattisgarh. --- **Respondent**

For the applicants : Mr. B.P. Singh, Advocate.

For the Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.01.2016

1. Apprehending arrest in connection with Crime No. 38 of 2015 registered at Police Station Women Cell, Raipur, Distt. Raipur (CG) for the offences punishable under Sections 498-A/34, 406 IPC & Sections 3, 4 of the Dowry Prohibition Act, the applicant has filed this application u/s 438 Cr.P.C., for grant of anticipatory bail.
2. As per the prosecution case, the applicant was married to the complainant on 05.12.2014 and thereafter the complainant wife was subjected to cruelty for demand of dowry and demand of Rs.2 lakhs was made. It was further stated that the applicant was suffering with contagious skin disease which was also concealed and on 16.07.2015, the applicant had taken away the jewellery of the wife and therefore, the offence was committed.
3. Learned counsel for the applicant submits that the entire allegations have been made on the ground that the applicant was suffering colitises which was not disclosed. It is further submitted that false and omnibus allegations have been made against the applicant, therefore, he may be enlarged on anticipatory bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.

5. I have gone through the case diary as also the copies of conciliation proceedings which is part of the record.
6. Taking into submission made in the conciliation proceedings and considering the omnibus general allegations made against the husband by the complainant 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