

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 706 of 2016

1. Dr. Ram Mohan Sahare, aged about 33 years, S/o. Mr. Navloo Ram Sahare, Permanent Address : Village and Post Semra, Sihawa, Tehsil Nagari, District – Dhamtari (C.G.).

Present address “Late Baliram Kashyap Memorial Medical College, Campus, Deemrapal, Jagdalpur, District – Bastar (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Frejarpur (Parpa), District – Jagdalpur (Bastar) (C.G.)

---- Respondent

For Applicant : Mr. Raja Ali, Advocate

For Respondent/State : Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/09/2016

1. Apprehending arrest in connection with Crime No.85/2016 registered at Police Station- Frejarpur (Parpa), District – Jagdalpur (Bastar) (C.G.), for offence punishable under Section 498-A of I.P.C. and Section 4 of the Dowry Prohibition Act, the applicant has preferred this application for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that a report is made by Smt. Geeta Sahare that she was married to the present applicant on 15.02.2015. Subsequently, she was subjected to torture and the applicant after consuming liquor used to beat the complainant wife and car was demanded. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that on trivial issue, the dispute took place in between the husband and wife and no

demand of car was made since the applicant was already having a car being a doctor. He further submits that initially after the report, counseling took place, wherein the applicant assured the complainant to take her back till 30.04.2016, but on 01.05.2015, the applicant went to bring her back by the time, the FIR has been registered. He further submits that the applicant has been falsely implicated in this case. The counsel further submits that as per instruction, the applicant is still ready to take the complainant, therefore, it is prayed that the applicant may be extended the benefit of Section 438 of Cr.P.C.

4. Per contra, learned State counsel opposes the application for grant of bail.
5. I have heard the learned counsel for the parties.
6. Perused the case diary, statement of the complainant and proceedings of the counseling. Considering the statement and further considering the fact that the counsel of the applicant contended before the Court that applicant is still ready and willing to take her wife. Taking into such statement and the submission made, this Court is inclined to extend the benefit of anticipatory bail to the applicant, as custodial interrogation of the applicant in this case may not be required.
7. 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 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