

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.(A) No. 1012 of 2016

Satyendra Baghel S/o Sukrit Baghel Aged About 22 Years R/o
Mahatma Gandhi Nagar, Gali No. 01, Amlidih, Raipur District Raipur,
Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
New Rajendra Nagar, District Raipur, Chhattisgarh.

---- Respondent

For applicant – Ms. Smita Jha, Advocate.
For Respondent/State – Ms. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

9/11/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 100/2016 registered at Police Station New Rajendra Nagar, Raipur Distt. Raipur (C.G.) for offence punishable under Sections 498A, 294, 323, 506, 34 of IPC.

2. As per the prosecution case, a report was made by Pooja Baghel that she was married to the applicant on 4/06/2015. Thereafter, she was subjected to cruelty for demand of dowry and for bringing washing machine, mixer grinder. Thereafter, parties could not go along and therefore counselling took place but nothing materialized in the counselling and eventually report was made.

3. Learned counsel for the applicant submits that on the trivial issue the complainant has lodged report and she wanted to stay at maternal home but when the applicant wanted to take her back she refused which would be evident from the counselling and it is added by mother of the complainant that she has been restricted to come. She submits that taking into such facts false allegations have been attributed against the applicant, therefore the applicant may be granted benefit of anticipatory bail.

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

5. Perused the case diary and the documents. Also perused the statement of the victim and report of counselling. Taking into such facts, 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.

Sd/-
(Goutam Bhaduri)
JUDGE