

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 1035 of 2016**

Leelaram Sahu Aged About 24 Years S/o Babulal Sahu Occupation- Private Service, R/o Village & Post Kotari, Tehsil Lormi, District Mungeli, Chhattisgarh, Present Address C/o Maa Vaishnavi Medical Stores, Kushal Chowk, Raipur, Tahsil & District Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Womens' Police Station, Raipur, Tehsil & District Raipur, Chhattisgarh.

---- Respondent

For applicant – Shri Prashant Gupta, Advocate.
For Respondent/State – Ms. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order****2/12/2016**

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 14/2016 registered at Police Station Womens' Police Station, Raipur for offence punishable under Sections 498A, 294, 323 of Indian Penal Code.

2. As per the prosecution case, a report was made by Anita Sahu on 6/06/2016 that she was married to the applicant on 1/04/2016. Thereafter, they started living together and when wife insisted the applicant to allow her to meet the family members, it was refused and she was assaulted. Thereby, offence has been committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and on the trivial issue report has been made by the wife, no assault has been inflicted to the wife. Learned counsel submits that the applicant still wants to keep the wife, therefore he may be granted benefit of anticipatory bail.

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

5. Perused the statement as also the report. Considering the nature and degree of allegation, 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 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