

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1051 of 2016**

1. Alok Anand, S/o. Raviranjana Dubey, aged about 25 years, Caste-Brahman, Occupation-Service (Cashier), R/o. Kotba, Police Chowki-Kotba, Police Station – Bagbahar, Tahsil – Pathalgaon, District – Jashpur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Incharge, Police Chowki- Kotba, Police Station : Bagbahar, District – Jashpur (C.G.)

---- Respondent

For Applicant	: Mr. J.K. Saxena, Advocate
For Respondent/State	: Mr. Arvind Shukla, Panel Lawyer
For Objector	: Mr. Ravi Maheshwari, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/12/2016**

1. Apprehending arrest in connection with Crime No.113/2016 registered at Police Station- Bagbahar, Police Chowki- Kotba, District – Jashpur (C.G.), for offence punishable under Section 498(A) of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, a report was made by Priti Priyanka that she was married to the present applicant in the year 2014. Thereafter, she was subjected to torture and the allegations were levelled that the wife/complainant has illicit relation with other persons and the applicant and the victim both were working in the bank. Subsequently, it is alleged that the applicant has demanded Rs.20.00 Lakhs from the victim. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the marriage was solemnized in the year 2014 and both the applicant and the

victim were working in Central Bank and the victim was transferred to Hyderabad and she never wanted to join in husband's place at Kotba, therefore, the dispute arose. It is further submitted that no allegations were attributed in between two years and for the first time, the FIR was lodged on 28.07.2016. He further submits that both the applicant and the victim were living together and they have performed marriage and consequently, no offence has been committed and false allegations have been levelled on trivial issue. Therefore, the counsel prays that applicant may be enlarged on anticipatory bail.

4. Per contra, learned counsel for the State as well as counsel for the objector opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the case diary and the statement of the victim. Considering the entire statement of the victim and the nature of allegation levelled, it appears that on trivial issue, both the parties have entered into dispute, which aggravated. Taking into the facts and circumstances and the background of the case and the nature of allegation, this Court is inclined to extend the benefit of anticipatory bail to the applicant.
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 each 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