

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 391 of 2017

- Shafi Mohammad S/o Late Shri Jumma Khan, Aged About 68 Years
R/o Labour Camp, Lav - Kush Nagar, Jamul, Police Station Jamul,
Tahsil Durg Revenue & Civil District Durg Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station
Jamul District Magistrate District Durg Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Bhaskar Pyasi, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.02.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 620/2016 registered at P.S. Jamul, Distt. Durg (C.G) for the offence punishable under Sections 498-A, 294, 354, 506 & 34 of IPC and Sections 4 & 5 of the Dowry Prohibition Act.
2. As per the prosecution case, a report was made by Shabnam Nigar on 05.11.2016 that the present applicant who is the father-in-law of the complainant alongwith other accused treated her with cruelty for demand of dowry and further tried to outrage her modesty and also extended threat and abused thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant is an old man father-in-law of 68 years and he suffered heart attack after his arrest. He further submits that only omnibus allegations have been made against the present applicant. It is also submitted that the charge sheet

has been filed and the applicant is in jail since 22.11.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of victim u/ss 161 & 164 Cr.P.C. Considering such statements and the nature of allegations which appears to be omnibus in nature as also the fact that the charge sheet has been filed and the applicant is in jail since 22.11.2016, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**