

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 14 of 2017**

Dr. Ravishanker Gayakwad, aged about 32 years, S/o Makhanlal Gayakwad, R/o village Sanva, Chowki Saket, Thana and Tehsil Pathariya, Distt. Mungeli.

-----Applicant

Versus

State of Chhattisgarh through Police Chowki Saket, Police Station, Pathariya, Distt. Mungeli.

---- Respondent

For Applicant	:	Shri Parag Kotecha, Advocate.
For Respondent	:	Shri Ashok Swarnakar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

04/05/2017

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.413 of 2016 registered at police Chowki, Saket, Police Station Pathariya, for the offence punishable under Section 498-A/34 IPC.
2. Learned counsel appearing for the applicant at the outset submits that the present applicant is the Husband of complainant. There are five accused persons in the crime in question out of which four accused have already been granted anticipatory bail by the trial court, copy of which has been enclosed in this application. He submits that a perusal of complaint lodged by the complainant Sushila Gayakwad would reveal that the allegations levelled against the present applicant is identical and common when compared to the allegations made against the other family members. The allegations against the applicant is omnibus and general in nature. There is no specific allegation of any overt act made by the applicant. He further submits that since the other accused persons have already been granted anticipatory bail, the benefit of the

same may also be extended to the applicant.

3. All these facts narrated by the counsel for the applicant are not disputed by the counsel for the State.
4. Having heard learned counsel for the parties and taking into consideration the fact that general and omnibus allegations have been made against the applicant; the fact that other accused persons have already been granted anticipatory bail by the trial court and also keeping in view the judgment of Supreme Court in case of Arnesh Kumar Vs. State of Bihar and Another, 2014 (8) SCC 273, this court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:
 1. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
 2. The accused/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;
 3. The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 4. 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.
5. Certified copy, as per rules.

Sd/-
(P. Sam Koshy)
Judge