

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 351 of 2017**

Pramod Kumar Sharma Shri Shatrughan Sharma, Aged About 33 Years
R/o Village Sankra Jagnathpur, Police Station Balod, Tahsil & District-
Balod, Chhattisgarh, Present Address Chhattisgarh State Civil Line
Corporation Limited Mukhyalay Sukma.

-----Applicant**Versus**

State of Chhattisgarh Through: Police Station- Balod, Tahsil & Civil &
Revenue District- Balod, Chhattisgarh.

---- Respondent

For Applicant	:	Shri N Naha Roy, Advocate.
For Respondent	:	Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****10/05/2017**

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.116 of 2017 registered at Police Station Balod, for the offence punishable under Section 498-A IPC.
2. The allegation against the applicant, as per prosecution, is that the applicant having married with the complainant on 11.05.2013 is said to have subjected her to ill treatment, torture and harassment up till 06.01.2015 when she left the matrimonial home and started living at her parental home. Written complaint was lodged by the complainant for the first time on 26.12.2016. The complainant has given date-wise detail of incident right from the date of marriage onwards.
3. Learned counsel appearing for the applicant submits that a plain reading of complaint itself would show it to be a baseless document created only to falsely implicate and harass the applicant and his family members. The contents of complaint also are bald and the allegations are made without any substance. All the allegations against the applicant and his

family members are general and omnibus, though the family members have not made accused persons.

4. The State counsel opposing the application submits that considering the nature and contents of written report lodged by the complainant, there are serious allegations against the applicant. Therefore, the bail application deserves to be rejected.
5. 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 manner in which the written report has been lodged particularly the date-wise details that has been provided does not prima facie appear to be natural, 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.
6. Certified copy, as per rules.

Sd/-
(P. Sam Koshy)
Judge